JOURNAL OF THE SENATE

OF THE

THIRTY-FIFTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA

WHICH CONVENED AT THE CAPITOL AT DES MOINES,
JANUARY 13, A. D. 1913, AND ADJOURNED
SINE DIE APRIL 19, A. D. 1913.

OHIO STATE
UNIVERSITY

DES MOINES
ROBERT HENDERSON, STATE PRINTER
J. M. JAMIESON, STATE BINDER
1913

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1913

OHIO STATE
UNIVERSITY

OFFICERS OF THE SENATE

President

W. L. HARDING

Sioux City, Woodbury county

President Pro Tempore

A. C. SAVAGE

Adair, Adair county

Secretary

JOSEPH E. MEYER

Des Moines, Polk county

First Assistant Secretary.J. J. Hayden, Adair, Adair county.

Second Asst. Secretary....L. E. Stamm, Des Moines, Polk county.

Engrossing Clerk.....Dora Halady, Des Moines, Polk county.

Enrolling Clerk.....Harriet L. Elwood, Lime Springs, Howard county.

Journal Clerk.....Jessie Ranabarger, Keosauqua, Van Buren county.

Journal Clerk.....Emma C. Malm, Des Moines, Polk county.

Sergeant-at-Arms.....W. A. Grove, Rolfe, Pocahontas county.

File Clerk.....Walter H. Beam, Indianola, Warren county.

File Clerk. .....John F. Gates, Greene, Butler county.

Bill Clerk.. .....Chas. M. Brown, Newton, Jasper county.

Asst. Bill Clerk.....B. R. Shipley, Lineville, Wayne county.

Postmistress.....Mrs. Wm. E. Hamilton, Odebolt, Sac county.

Chief Doorkeeper.....J. H. Doty, Spencer, Clay county.

130295

SENATORS

District	NAME	P. O. ADDRESS	COUNTIES COMPOSING DISTRICT	OCCUPATION	NATIVITY	Years in Iowa	Age
50	Allen, Joseph H.*	Pocahontas	Buena Vista, Humboldt, Pocahontas	Banker and Lawyer	Iowa	42	42
45	Ames, Asa L.*	Traer	Benton, Tama	Farmer	Iowa	53	53
28	Arney, Wallace H.	Marshalltown	Marshall	Farmer and Banker	Iowa	50	50
49	Balkema, Nicholas	Sioux Center	Lyon, O'Brien, Osceola, Sioux	Merchant	Wis.	29	47
21	*Balluff, August A.**	Davenport	Scott		Iowa	54	54
41	Boe, Lars W.	Forest City	Mitchell, Winnebago, Worth	Lutheran Pastor and Teacher	Michigan	23	36
37	Chase, Daniel C.*	Webster City	Hamilton, Hardin, Wright	Attorney	Iowa	52	52
15	*Clarkson, John T.*	Albia	Marion, Monroe	Lawyer	Penn.	29	51
9	Cowles, La Monte*	Burlington	Des Moines	Lawyer	Iowa	53	53
11	Crist, LeMerton E.	Osceola	Clarke, Warren	Lawyer	Iowa	40	40
34	*Crow, Edward L.**	Mapleton	Crawford, Harrison, Monona	Farmer and Stock	Iowa	60	60
4	Darrah, John H.	Chariton	Lucas, Wayne	Merchant	Illinois	36	38
38	*De Wolf, Sherman W.**	Reinbeck	Black Hawk, Grundy	Lawyer	Iowa	38	38
31	Doran, Justin R.	Beaver	Boone, Story	Farmer	New York.	40	62
7	*Dunnegan, John J.**	Shenandoah	Fremont, Page	Contractor	N. Car.	22	52
32	*Farr, Edgar P.*	Sioux City	Woodbury	Lawyer	Iowa	51	51
40	Fellows, Albert M.	Lansing	Allamakee, Fayette	Lumber Dealer	Iowa	48	48
47	Francis, Leslie E.	Spirit Lake	Clay, Dickinson, Emmet, Kossuth, Palo Alto	Lawyer	Iowa	41	41
20	*Garrett, Alexander M.**	Letts	Louisa, Muscatine	Live Stock and Grain	Iowa	55	55
46	*Gillette, Guy M.*	Cherokee	Cherokee, Ida, Plymouth	Lawyer	Iowa	33	33
39	*Hagemann, F. P.***	Waverly	Bremer and Butler	Lawyer			
26	Heald, Francis A.	Cedar Rapids	Linn	Lawyer	Iowa	36	36
23	Hilsinger, George E.	Sabula	Jackson	Attorney	Iowa	38	38
42	Jewell, Philo M.*	Decorah	Howard, Winneshiek	Physician and Surgeon	Ohio	32	64
8	Jones, Frank F.	Villisca	Mills, Montgomery	Merchant, Banker & Farmer	New York.	37	57
19	Kimball, C. F.†	Council Bluffs.	Pottawattamie	Attorney	Iowa	44	44
27	Larrabee, Frederic	Fort Dodge	Calhoun, Webster	Law and Real Estate	Iowa	39	39
44	*Legel, John G.**	Charles City	Chickasaw, Floyd	Druggist	Missouri	51	53
29	Malmberg, Edward P.*	Newton	Jasper	Lawyer	Iowa	34	34
48	Mattes, Joseph*	Odebolt	Carroll, Greene, Sac	Banker and Hdw. Merchant	Iowa	57	57
17	McColl, Anthony M.	Woodward	Audubon, Dallas, Guthrie	Lumber and Grain	New York.	34	54
1	*McManus, Edward P.**	Keokuk	Lee	Contractor	Iowa	54	54
10	Neal, Samuel W.*	Washington	Henry, Washington	Editor	Penn.	66	67

6	Nye, Albert D.	Bedford	Adams, Taylor	R. R. Agt. & Telegraph Opr.	Iowa	43	43
33	Perkins, Eli C.	Delhi	Buchanan, Delaware	Attorney	Maine	47	62
36	*Quigley, Robert*	McGregor	Clayton	Attorney	Iowa	67	67
14	*Ream, John F.*	Oskaloosa, R. 5	Mahaska	Miner	Penn.	57	58
43	Robinson, Thomas J. B.	Hampton	Cerro Gordo, Franklin, Hancock	Banker	Wis.	43	45
16	Savage, Arthur C.	Adair	Adair, Madison	Banker	Iowa	43	43
35	*Schrup, Nicholas J.**	Dubuque	Dubuque	Banker and Insurance	Iowa	59	59
24	*Sheean, William D.*	Anamosa	Cedar, Jones	Attorney and Mfg. of Lumber	Iowa	45	45
18	Smith, Thomas H.*	Harlan	Cass, Shelby	Lawyer	Iowa	58	58
12	Spaulding, Henry W.*	Grinnell	Keokuk, Poweshiek	Manufacturer	Vermont	36	66
30	Sullivan, John B.*	Des Moines	Polk	Lawyer	Iowa	43	43
2	Taylor, John H.	Farmington	Jefferson, Van Buren	Editor	W. Va.	20	42
4	Thomas, Charles H.	Kent	Decatur, Ringgold, Union	Merchant, Banker & Farmer	Illinois	36	52
13	*Webber, John F.**	Ottumwa	Wapello	Lawyer and Broker	Illinois	12	38
25	*White, James A.*	South Amana	Iowa, Johnson	Farmer	Illinois	51	53
3	Wilson, James M.	Centerville	Appanoose, Davis	Lawyer	Illinois	30	46
22	*Wilson, John L.**	Almont	Clinton	Farmer and Stock	Iowa	55	55

Republicans in roman—32. Democrats in italic—18.
*Term expires in 1914.
**Charles Gates died January 31, 1913, vacancy filled February 17, 1913, by special election.
†Mack C. Goodwin unseated February 15, 1913, by Senate contest committee.

ADDITIONAL INFORMATION.

Former Legislative Service—Allen, S. 32, 33, 34; Ames, S. 34; Arney, H. 32, 33; Balkema, S. 33, 34; Balluff, H. 33, S. 34; Boe, H. 33; Chase, H. 23, 24, S. 34; Clarkson, S. 33, 34; Cowles, S. 34; Crist, H. 34; Crow, S. 34; Darrah, H. 31, 32, 33; DeWolf, S. 32, 33, 34; Doran, H. 30, 31, 32; Dunnegan, S. 34; Francis, S. 33, 34; Garrett, S. 34; Hilsinger, H. 28, 29; Jewell, H. 32, 33, S. 34; Jones, H. 30, 31, 32; Larrabee, S. 33, 34; Legel, S. 34; Malmberg, S. 34; Mattes, H. 29, 30, 31, S. 32, 33, 34; McColl, S. 34; McManus, S. 32, 33, 34; Neal, S. 34; Perkins, H. 33, 34; Quigley, S. 33, 34; Ream, S. 33, 34; Savage, S. 33, 34; Schrup, S. 34; Sheean, H. 27; Smith, S. 34; Spaulding, S. 34; Sullivan, H. 32, 33, S. 34; Webber, S. 34; White, S. 33, 34; Wilson, H. 25, 26, S. 27, 28, 29, 30, 31, 32, 33, 34.

Military Service—Allen, Private Co. F, 49th Iowa Inf., S. A. W.; Gillette, Sergt. Co. M, 52d Iowa Vol., S. A. W.; Neal, Private Co. I, 25th Iowa Inf.; Quigley, Co. D, 46th Iowa Inf. and Co. K, 15th Iowa Inf.

Education—Rural School—Dunnegan, Nye.

Common School—Arney, Balluff, Clarkson, Crist, Doran, McColl, Ream, Spaulding, Thomas.

Graded School—Garrett.

High School—Balkema, Jones, Legel, Mattes, Robinson.

Business College—McManus, Wilson (John L.)

Academy—Darrah, Jewell, Neal, Sheean, Smith, White.

College—Allen, Ames, Boe, Chase, Cowles, Crow, De Wolf, Farr, Fellows, Francis, Gillette, Hageman, Heald, Hilsinger, Kimball, Larrabee, Malmberg, Perkins, Quigley, Savage, Schrup, Sullivan, Taylor, Webber, Wilson (James M.)

Married, 43. Widowers, Mattes, Quigley, Sheean. Single, Heald, Larrabee, Malmberg, White.

Alphabetical List of Counties Showing Senators and Representatives.

COUNTIES	SENATORS	REPRESENTATIVES
Adair	Arthur C. Savage	Edwin J. Sidey
Adams	Albert D. Nye	Walter Newcomb
Allamakee	Albert M. Fellows	Otto A. Helming
Appanoose	James M. Wilson	Warren T. Daniels
Audubon	Anthony M. McColl	Ole H. Jacobson
Benton	Asa L. Ames	Harry C. White
Black Hawk	Sherman W. De Wolf	Henry O. Bernbrock
		Henry W. Grout
Boone	Justin R. Doran	James B. McHose
Bremer	F. P. Hagemann	Charles W. Miller
Buchanan	Eli C. Perkins	Thomas F. Halstead
Buena Vista	Joseph H. Allen	Edw. H. Cunningham
Butler	F. P. Hagemann	William I. Atkinson
Calhoun	Frederic Larrabee	John W. Jacobs
Carroll	Joseph Mattes	Robert Odendahl
Cass	Thomas H. Smith	John D. Peterson
Cedar	William D. Sheean	Floyd L. Milton
Cerro Gordo	Thos. J. B. Robinson	Arthur Pickford
Cherokee	Guy M. Gillette	Wilfred P. Dawson
Chickasaw	John G. Legel	Christian Saltzmann
Clarke	Le Merton E. Crist	Cornelius B. Eggleston
Clay	Leslie E. Francis	William H. Webb
Clayton	Robert Quigley	Charles E. Scholz
Clinton	John L. Wilson	John W. Dunlap
		William J. Greene
Crawford	Edward L. Crow	Edward Downey
Dallas	Anthony M. McColl	Henry Brady
Davis	James M. Wilson	George F. Carson
Decatur	Charles H. Thomas	Melbern F. Thompson
Delaware	Eli C. Perkins	Millard F. Le Roy
Des Moines	La Monte Cowles	James E. Jamison
Dickinson	Leslie E. Francis	Fred W. Jones
Dubuque	Nicholas J. Schrup	Allan J. Kane
		Michael F. McCullough
Emmet	Leslie E. Francis	Lewis L. Bingham
Fayette	Albert M. Fellows	William Larrabee, Jr.
Floyd	John G. Legel	John E. Bruce
Franklin	Thos. J. B. Robinson	Frank A. Thayer
Fremont	John J. Dunnegan	Isaac G. Scott
Greene	Joseph Mattes	Walter W. Anderson
Grundy	Sherman W. De Wolf	Edward K. Greene
Guthrie	Anthony M. McColl	U. S. Grant Chapman
Hamilton	Daniel C. Chase	Frank J. Lund
Hancock	Thos. J. B. Robinson	Adelbert J. Cole
Hardin	Daniel C. Chase	Herbert A. Huff
Harrison	Edward L. Crow	Charles W. Hunt
Henry	Samuel W. Neal	John W. Blackford
Howard	Philo M. Jewell	Lee W. Elwood
Humboldt	Joseph H. Allen	Col. Halgrims
Ida	Guy M. Gillette	Julius Rohwer
Iowa	James A. White	Chris. C. Cronbaugh
Jackson	George E. Hilsinger	Joseph Kelso, Jr.
Jasper	Edward P. Malmberg	David Meredith
Jefferson	John H. Taylor	Scott A. Power
Johnson	James A. White	George W. Koontz
Jones	William D. Sheean	John H. J. Stutt
Keokuk	Henry W. Spaulding	Charles A. Trumbauer
Kossuth	Leslie E. Francis	Clayton B. Hutchins
Lee	Edward P. McManus	Joseph M. C. Hamilton
Linn	Francis A. Heald	Justin Barry
		Herbert C. Ring
Louisa	Alexander M. Garrett	James M. Brockway
Lucas	John H. Darrah	Clark W. Huntley
Lyon	Nicholas Balkema	Chris Erickson
Madison	Arthur C. Savage	Walter F. Craig
Mahaska	John F. Ream	John L. Brown
Marion	John T. Clarkson	George W. Crozier
Marshall	Wallace H. Arney	Harold C. Lounsberry
Mills	Frank F. Jones	Alfred S. Workman
Mitchell	Lars W. Boe	Albert Bartle
Monona	Edward L. Crow	A. B. Elliott
Monroe	John T. Clarkson	Charles H. Clark
Montgomery	Frank F. Jones	Claus L. Anderson

Alphabetical List of Counties Showing Senators and Representatives.—Con.

COUNTIES	SENATORS	REPRESENTATIVES
Muscatine	Alexander M. Garrett	Benjamin H. Black
O'Brien	Nicholas Balkema	Charles C. Cannon
Osceola	Nicholas Balkema	Daniel C. Steelsmith
Page	John J. Dunnegan	William F. Stipe
Palo Alto	Leslie E. Francis	David E. Kulp
Plymouth	Guy M. Gillette	Albert T. Stokes
Pocahontas	Joseph H. Allen	Walter P. Jensen
Polk	John B. Sullivan	Wilbert S. Fraley
		Frank S. Shankland
Pottawattamie	C. F. Kimball	John T. Hazen
		Alfred A. Lenocker
Poweshiek	Henry W. Spaulding	Ralph Sherman
Ringgold	Charles H. Thomas	John A. Bliss
Sac	Joseph Mattes	William J. Dixon
Scott	August A. Balluff	Henry H. Boettger
		Thomas W. Griggs
Shelby	Thomas H. Smith	Albert Hansen
Sioux	Nicholas Balkema	Gerrit Klay
Story	Justin R. Doran	Milo A. Manning
Tama	Asa L. Ames	William N. Townsend
Taylor	Albert D. Nye	Myron L. Burt
Union	Charles H. Thomas	Ernest J. Heaton
Van Buren	John H. Taylor	Samuel H. Bauman
Wapello	John F. Webber	Edmond J. Bradley
		Ernest R. Mitchell
Warren	Le Merton E. Crist	William Buxton, Jr.
Washington	Samuel W. Neal	David R. Munro
Wayne	John H. Darrah	Joseph E. Doze
Webster	Frederic Larrabee	Peter Hadley
Winnebago	Lars W. Boe	Thomas A. Kingland
Winneshiek	Philo M. Jewell	Lauritz M. Enger
Woodbury	Edgar P. Farr	Thomas F. Griffin
		Ulysses G. Whitney
Worth	Lars W. Boe	Tolleff C. Rone
Wright	Daniel C. Chase	Ira D. McVicker

Senators and Their Respective Committees

ALLEN

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ARNEY

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BALKEMA

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BALLUFF

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CHASE

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CLARKSON

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COWLES

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HAGEMANN

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QUIGLEY

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SAVAGE

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SCHRUP

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THOMAS

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WEBBER

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WHITE

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WILSON OF CLINTON

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 13, A. D., 1913.

Pursuant to law, the Senate of the Thirty-fifth General Assembly convened at 10 o'clock A. M., and was called to order by Lieutenant Governor George W. Clarke.

Prayer was offered by The Right Reverend Austin Dowling, D.D., of Des Moines, Iowa.

Senator Ames moved that the officers of the Thirty-fourth 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 temporary officers appeared before the Bar of the Senate and were duly sworn:

Geo. A. Wilson, Secretary.

Joseph E. Meyer, First Assistant Secretary.

W. M. Lewis, Journal Clerk.

Harriett Elwood, Enrolling Clerk.

Cyrus Weaver, Assistant File Clerk.

J. H. Reese, Sergeant-at-Arms.

Mrs. W. E. Hamilton, Senate Postmistress.

J. R. White, Mail Carrier.

E. L. Stilson, Doorkeeper.

W. H. Grove, Assistant Doorkeeper.

J. H. Doty, Assistant Doorkeeper.

J. L. Rehrick, Assistant Doorkeeper.

D. A. Heisler, Assistant Doorkeeper.

D. W. Castle, Assistant Doorkeeper.

Jeff Logan, Janitor of Cloak Room.

Leonard C. Donahue, Page.

Ronald S. Wood, Page.

Howard H. Nye, Telephone Messenger.

Edward Swanson, Page.

B. I. Kinsey, Bill Clerk.

Charles Sandler, Lieutenant Governor's Messenger.

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

Carried.

The President announced the following committee on credentials: Senators Allen, Cowles, Crist, Clarkson and Farr.

Senator Mattes moved that the Senate take a recess until the committee on credentials is ready to report.

Carried.

The Senate took a recess.

The Senate was called to order by the President at 11:45.

Senator Sullivan moved that the Senate do now adjourn until 1:30 P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P. M., President Clarke presiding.

Senator Allen 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 as shown by the files entitled to seats in the Senate of the Thirty-fifth General Assembly, and all are present, except James M. Wilson, Senator from the Third Senatorial District, who is temporarily absent on account of illness.

Second District, John H. Taylor.

Third District, James M. Wilson.

Fourth District, John H. Darrah.

Fifth District, C. H. Thomas.

Sixth District, A. D. Nye.

Eighth District, F. F. Jones.

Eleventh District, L. E. Crist.

Fourteenth District, John F. Ream.

Fifteenth District, John T. Clarkson.

Sixteenth District, Arthur C. Savage.

Seventeenth District, Anthony M. McColl.

Twenty-third District, Geo. E. Hilsinger.

Twenty-fourth District, Wm. D. Sheean.

Twenty-fifth District, James A. White.

Twenty-sixth District, F. A. Heald.

Twenty-seventh District, Frederic Larrabee.

Twenty-eighth District, Wallace H. Arney.

Thirty-first District, Justin R. Doran.

Thirty-second District, E. P. Farr.

Thirty-third District, Eli C. Perkins.

Thirty-sixth District, Robert Quigley.

Thirty-ninth District, Charles Gates.

Fortieth District, Albert M. Fellows.

Forty-first District, Lars W. Boe.

Forty-third District, T. J. B. Robinson.

Forty-sixth District, Guy M. Gillette.

Forty-seventh District, Leslie E. Francis.

Forty-ninth District, Nicholas Balkema.

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

First District, E. P. McManus.

Seventh District, J. J. Dunnegan.

Ninth District, LaMonte Cowles.

Tenth District, S. W. Neal.

Twelfth District, Henry W. Spaulding.

Thirteenth District, John F. Webber.

Eighteenth District, Thos. H. Smith.

Twentieth District, A. M. Garrett.

Twenty-first District, August A. Balluff.

Twenty-second District, John L. Wilson.

Twenty-ninth District, Ed P. Malmberg.

Thirtieth District, John B. Sullivan.

Thirty-fourth District, E. L. Crow.

Thirty-fifth District, N. J. Schrup.

Thirty-seventh District, D. C. Chase.

Thirty-eighth District, Sherman W. DeWolf.

Forty-second District, P. M. Jewell.

Forty-fourth District, John G. Legel.

Forty-fifth District, A. L. Ames.

Forty-eighth District, Joseph Mattes.

Fiftieth District, Joseph H. Allen.

Your Committee would also report that no one is present from the Nineteenth Senatorial District composed of the County of Pottawattamie with a certificate provided for by law, but in the judgment of your Committee from evidence submitted and which is conceded to be correct by both sides, the certificate upon the face of the returns should have been issued to Mack C. Goodwin, and we recommend that he be seated pending the determination of the contest by the Senate.

Your Committee find that the law relating to contests of members of the General Assembly and Senators is in a condition that may lead to dispute and confusion and recommend that the same be amended by this General Assembly.

J. H. ALLEN,
LAMONTE COWLES,
JOHN T. CLARKSON,
L. E. CRIST,
E. P. FARR,
Committee

The report of the committee was adopted.

The roll call disclosed the following senators present:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garret, Gates, Gillette, Goodwin, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye,

Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Clinton—43.

Absent:

Boe, Crow, McManus, Perkins, Quigley, Webber, Wilson of Appanoose—7.

The following newly elected senators appeared before the bar of the Senate and were duly sworn and subscribed their respective names to the oath of office:

Arney.	Francis.	McColl.
Balkema.	Gates.	Nye.
Clarkson.	Gillette.	Ream.
Crist.	Goodwin.	Robinson.
Darrah.	Heald.	Sheean.
Doran.	Hilsinger.	Taylor.
Farr.	Jones.	Thomas.
Fellows.	Larrabee.	White.

Senator Balkema offered the following resolution and moved its adoption:

Resolved, That the holdovers and reelected 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 such name is announced each newly elected Senator will select his seat from those unoccupied.

Adopted.

Senator Spaulding asked unanimous consent to retain seat No. 47 occupied by him during the Thirty-fourth General Assembly.

Consent granted.

Senators Neal, Chase and McColl requested permission to surrender their old seats and participate in the drawing of seats with the newly elected senators.

Consent granted.

Upon the drawing of seats the following selections were made:

Arney	42	Hilsinger	43
Boe	27	Jones	41
Chase	15	McColl	6
Crist	4	Neal	21
Darrah	12	Nye	22
Doran	11	Perkins	14
Farr	40	Robinson	7
Fellows	20	Sheean	31
Gillette	9	Taylor	19
Goodwin	30	Thomas	2
Heald	32	Wilson of Appanoose	29

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

Carried.

Senator Ames nominated Joseph E. Meyer of Polk County for secretary of the Senate and moved his election.

Those voting for Joseph Meyer were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gates, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Clinton—46.

Absent or not voting:

Boe, Goodwin, McManus, Wilson of Appanoose—4.

Joseph E. Meyer was declared duly elected secretary of the Senate.

Senator Ames nominated the following persons for permanent officers of the Senate and moved their election:

First Assistant Secretary—Joseph Hayden of Adair county.

Second Assistant Secretary—L. E. Stamm of Polk county.

Engrossing Clerk—Miss Dora Holaday of Polk county.

Enrolling Clerk—Miss Harriett Elwood of Howard county.

Journal Clerks—Mrs. Emma Malm of Polk county and Mrs. Jessie Rinabarger of Van Buren county.

Bill Clerk—C. M. Brown of Jasper county.

File Clerks—Walter H. Beam of Warren county and John F. Gates of Butler county.

Postmistress—Mrs. William Hamilton of Sac county.

Sergeant-at-Arms—W. A. Groves of Pocahontas county.

Chief Doorkeeper—J. H. Doty of Clay county.

Doorkeepers—E. L. Stilson of Franklin county, J. H. Stewart of Washington county, J. D. Clewell of Ringgold county, D. A. Heisler of Pottawattamie county, Daniel Castle of Linn county, David Pickering of Des Moines county, D. W. Riggle of Van Buren county, J. L. Rehrick of O'Brien county.

Chief in Cloak Room—Jeff Logan of Polk county.

Assistant Janitors—Charles Comely of Hamilton county, Homer Jones of Lee county.

Janitor of Toilet Room—P. S. Ervin.

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

Allen, Ames, Balkema, Balluff, Chase, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gates, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Perkins, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Clinton—41.

Absent or not voting:

Arney, Boe, Chase, Goodwin, McManus, Nye, Quigley, Sullivan, Wilson of Appanoose—9.

So the above named persons were declared duly elected to their respective offices.

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

Secretary—Joseph E. Meyer.

First Assistant Secretary—Joseph Hayden.

Second Assistant Secretary—L. E. Stamm.

Engrossing Clerk—Miss Dora Holaday.

Enrolling Clerk—Harriett Elwood.

Journal Clerks—Mrs. Emma Malm and Jessie W. Rinabarger.

Bill Clerk—C. M. Brown.

File Clerks—Walter Beam and John F. Gates.

Postmistress—Mrs. William Hamilton.

Sergeant-at-Arms—W. A. Groves.

Chief Doorkeeper—J. H. Doty.

Doorkeepers—E. L. Stillson, J. H. Stewart, J. D. Clewell, D. A. Heisler, Daniel Castle, David Pickering, D. W. Riggle and J. L. Rehrick.

Chief in Cloak Room—Jeff Logan.

Assistant Janitors—Charles Comely, Homer Jones.

Janitor in Toilet Room—P. S. Ervin.

Senator Francis offered the following resolution and moved its adoption:

Be it resolved by the Senate, That the rules of the Senate of the Thirty-fourth General Assembly be adopted as the rules of this General Assembly until the report of the committee on rules of this, the Thirty-fifth General Assembly, is received and adopted.

Adopted.

Senator Clarkson offered the following resolution and moved its adoption:

Resolved, That each Senator be, and he is, hereby authorized to appoint a Committee Clerk, who shall be a competent stenographer, and that such clerks may be sworn in whenever they present themselves for that purpose, if found proficient after examination by a committee of three, which the President is hereby directed to appoint.

Senator Larrabee offered the following substitute amendment to the above resolution and moved its adoption:

I move that the maximum number of committee clerks employed by this Senate shall be thirty-one. Such clerks shall be provided with badges and in order to draw per diem shall be on duty between the hours of 8 A. M. and 5 P. M., or later if needed, unless excused. A special committee of three members of the Senate, two of whom shall be selected from the majority party and one from the minority party, shall be appointed by the chair to determine the qualifications of the candidates for the position of committee clerk and report the names of the same to this Senate. Only persons who are expert stenographers and typewriters shall be considered qualified.

There shall be selected by said committee from among the clerks one Chief Clerk, whose duty shall be to have supervision over the clerks.

The chairman of Ways and Means, Judiciary and Appropriation Committees shall each be assigned one clerk. The remaining clerks shall be assigned to the several committees as shall be determined by the committee appointed by the chair.

It is hereby ordered by the Senate that the clerks while not engaged upon committee work shall be available as clerks for the members of this Senate and its officers.

The substitute amendment was lost.

The resolution offered by Senator Clarkson prevailed.

The President appointed as such committee, Senators Clarkson, Larrabee and Thomas.

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 holding of a Joint Convention to receive the Governor's message.

A. C. GUSTAFSON,
Chief Clerk.

Senator Neal offered the following resolution and moved its adoption:

Resolved, That the Secretary of the Senate be instructed to procure suitable badges for such officers of the Senate as require badges and who are not already provided with same.

Adopted.

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

Resolved by the Senate, the House concurring, That a joint committee of three members of the Senate to be appointed by the President, and three members of the House to 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.

The President announced as such committee on the part of the Senate, Senators Mattes, Smith and Neal.

Senator Savage 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-fifth General Assembly a copy of the Code and Supplement thereto and subsequent session laws and annotations.

Adopted.

Senator Larrabee moved that a committee of three be appointed by the President of the Senate to notify the Governor that the Senate was duly organized and ready for business.

Carried.

The President announced as such committee Senators Larrabee, Doran and Webber.

Senator Malmberg offered the following motion and moved its adoption:

I move that a committee of three be appointed to notify the House that the Senate is duly organized and ready for business.

Adopted.

The President announced as such committee Senators Malmberg, Jones and Quigley.

Senator Sullivan offered the following concurrent resolution and moved its adoption.

Be it resolved by the Senate, the House concurring, That a joint committee 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, to arrange for the inauguration of the Governor and Lieutenant Governor.

Adopted.

The President announced as such committee on the part of the Senate, Senators Sullivan, McColl, Arney, Robinson, Wilson of Clinton and Legel.

Senator Jewell offered the following motion:

I move that a committee of three on mileage be appointed.

Adopted.

The President announced as such committee, Senators Jewell, Nye and Ream.

Senator Spaulding offered the following motion and moved its adoption:

I move that a committee of three be appointed to provide chaplains of the Senate during the session of the Thirty-fifth General Assembly.

Adopted.

The President announced as such committee, Senators Spaulding, Thomas and White.

Senator Smith offered the following motion:

I move that the secretary of the Senate be instructed and authorized to assign seats for reporters in the Press Gallery.

Adopted.

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

Be it resolved by the Senate, the House concurring, That a joint convention of the two houses of the Thirty-fifth General Assembly be held January 14, 1913, at 2:00 o'clock.

That the Governor, B. F. Carroll, be invited to read his message at this joint meeting of the two houses of the General Assembly and that the President of the Senate and the Speaker of the House be designated to deliver the invitation to him.

That at this joint convention the vote of Governor and Lieutenant Governor be canvassed, and the result announced and recorded as provided by law.

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 concurred in the following Concurrent Resolution, in which the concurrence of the House was asked:

Senate Concurrent Resolution relative to a joint committee for the purpose of arranging the inauguration of the Governor and Lieutenant Governor, and appoints as such committee on the part of the House:

Fraley of Polk.

Helming of Allamakee.

Carson of Davis.

Shankland of Polk.

White of Benton.

McCullough of Dubuque.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate Resolution relative to the appointment of a joint committee on additional employes, and the Speaker names as such committee on the part of the House:

Hutchins of Kossuth.

Klay of Sioux.

Bauman of Van Buren.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate Concurrent Resolution relative to furnishing Codes and Supplements to the Code.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

CONCURRENT RESOLUTION.

Resolved by the House, the Senate concurring, That a Joint Convention of the two houses of the Thirty-fifth General Assembly be held Tuesday afternoon at 2 o'clock, January 14, 1913.

Be it further resolved, That the Governor of the State be invited to read his message before the two houses of the General Assembly in Joint Convention assembled, and that the Speaker of the House and the President of the Senate be appointed a committee to deliver the invitation.

Senator McColl moved to amend the House concurrent resolution by adopting the following substitute:

Be it resolved by the House, the Senate concurring, That a Joint Convention of the two houses of the Thirty-fifth General Assembly be held January 14, 1913, at 2:00 o'clock.

That the Governor, B. F. Carroll, be invited to read his message at this joint meeting of the two houses of the General Assembly and that the President of the Senate and the Speaker of the House be designated to deliver the invitation to him.

That at this Joint Convention the vote of Governor and Lieutenant Governor be canvassed, and the result announced and recorded as provided by law.

The substitute amendment was adopted.

The House Concurrent Resolution as amended, was concurred in.

Senator Larrabee from the committee appointed to notify the Governor that the Senate was duly organized, reported that they had performed that duty and that the Governor was ready to deliver his message to the Joint Assembly.

Senator Malmberg from the committee named by the President of the Senate to notify the House that the Senate was duly organized and ready for business, stated that the committee had performed that duty.

A committee from the House appeared before the Senate, and announced that the House was duly organized and ready for business.

Senator Mattes submitted the following resolution, and moved its adoption:

Resolved, That a committee of three be appointed by the President of the Senate to make assignment of committee rooms and fix the time of meeting of such committees.

Adopted.

President appointed as such committee, Mattes, Smith, and Dunnegan.

Senator Allen moved that the Senate proceed to elect a president pro tem of the Senate.

Carried.

Senator Allen placed in nomination Senator A. C. Savage.

Those voting for Senator Savage were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Cowles, Crist, Crow, Darrah, DeWolf, Dunnegan, Farr, Fellows, Francis, Garrett, Gates, Gillette, Heald, Hilsinger, Jewell, Jones, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Clinton—41.

Absent or not voting:

Boe, Clarkson, Doran, Goodwin, Larrabee, McManus, Savage, Webber, Wilson of Appanoose—9.

So Senator Savage was declared elected President pro tem of the Senate.

Senator Savage appeared before the bar of the Senate and was duly sworn.

Senator Mattes was called to the chair to preside.

Senator Allen moved that a committee of three be appointed to escort Senator Savage, President pro tem, to the chair.

Carried.

The chair appointed as such committee, Senators Allen, Neal and Webber.

The committee escorted Senator Savage to the chair.

Senator Mattes presented President pro tem Savage to the Senate and on assuming the chair he spoke as follows:

"I simply wish to say at this time that I appreciate deeply the high honor you have conferred upon me in the unanimous selection of myself as your temporary presiding officer of this session. I ask your kindly consideration in the work we have to do, and that I may have the hearty support at those times, which I trust will be few, when I will be asked to act as your presiding officer."

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendment to House Concurrent Resolution relative to holding a Joint Convention January 14, 1913, at 2:00 o'clock p. m.

A. C. GUSTAFSON,
Chief Clerk.

Senator Francis moved that a committee of three be appointed by the President of the Senate to act as tellers on the part of the Senate in canvassing the votes for Governor and Lieutenant Governor at the Joint Convention of the Senate and House held for that purpose.

Carried.

The President announced as such committee on the part of the Senate, Senators Francis, Jones, and Crow.

HOUSE MESSAGES CONSIDERED.

Joint Resolution relative to the inauguration of Governor and Lieutenant Governor.

Passed on file.

House Concurrent Resolution relative to the holding of a Joint Convention to receive the Governor's Message.

Passed on file.

House concurred in Senate amendment to House Concurrent resolution relative to Joint Convention.

Passed on file.

Concurrent resolution relative to providing Codes and Supplements.

Passed on file.

Senator Ames moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 14, 1913.

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

Prayer was offered by Rev. E. A. Elliott of Des Moines, Iowa.

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

The following newly elected Senators appeared before the bar of the Senate and were duly sworn and subscribed their respective names to the oath of office: Perkins, Boe and Quigley.

Senator Clarkson from the committee appointed to examine applicants for committee clerkships, submitted the following report, and moved its adoption:

We, your committee appointed to examine into and test the qualifications of the applicants for Committee Clerks, according to the Resolution passed by the Senate, beg leave to report that we have examined and tested the qualifications of the following named persons and find them qualified for the position referred to:

Mary E. Hammel.....Senator Robinson
Edythe Park.....Senator Taylor
Miss Flanagan.....No Senator
Florence Nelson.....Senator Balkema
Miss Harnagel.....Senator Ames
Mary A. Reid.....Senator Heald
Miss Perry.....Senator Spaulding
Louie Byram.....Senator Garrett
Lurana Sampson.....Senator Crist
Elizabeth Nelson.....Senator Dunnegan
Clara B. Culbertson.....Senator Fellows
Mrs. Kathryn Andrews.....Senator Crow
Anna Saunders.....Senator Malmberg
Amy Byram.....Senator Sullivan
Flo Heitsman.....Senator Ream
Helena Lynch.....Senator Jewell
Minnie Stowe.....Senator Francis
A. S. Benge.....Senator Savage
Rose Tildin.....No Senator
Genevieve Kelly.....Senator Cowles
Elizabeth Madison.....Senator Clarkson

Respectfully submitted,
JOHN T. CLARKSON,
Chairman.

Adopted.

Senator Webber offered the following resolution and moved its adoption:

Resolved, That the custodian be instructed to furnish the Senate with at least two sanitary water coolers and distilled or other sanitary water for drinking purposes.

Adopted.

The Secretary of the Senate announced the following assignment of seats for reporters in the press gallery:

No. 51—Edgar Markham, Register and Leader.
No. 52—Bert Mills, Daily Capital.
No. 53—Ora Williams, General Correspondent.
No. 54—J. B. Walker, Sioux City Journal.
No. 55—J. S. Woodhouse, General Correspondent.

The President announced that the Senate would stand at ease.

Senate was called to order.

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

G. F. Kane.....Lieutenant Governor's Clerk
Elizabeth Madison.....Senator Clarkson
Harriet B. Perry.....Senator Spaulding
Minnie E. Stowe.....Senator Francis
Rose Tilden.....Senator Hilsinger
Genevieve Kelly.....Senator Cowles
Mary E. Hammel.....Senator Robinson
Edythe Park.....Senator Taylor
Florence Nelson.....Senator Balkema
Madeline Harnagel.....Senator Ames
Lurana Sampson.....Senator Crist
Elizabeth Nelson.....Senator Dunnegan
Clara B. Culbertson.....Senator Fellows
Kathryn Andrews.....Senator Crow
Annie Saunders.....Senator Malmberg
Flo Heitsman.....Senator Ream
Helena Lynch.....Senator Jewell
Anna Flanagan.....Senator Gillette
Mary A. Reid.....Senator Heald
A. S. Benge.....Senator Savage
Amy Byram.....Senator Sullivan
Louie Byram.....Senator Garrett

Senator Mattes moved that the Senate do now adjourn until 1:30 P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M., President Pro Tem Savage presiding.

Senator Crow offered the following resolution and moved its adoption:

Resolved, That the Secretary of State be authorized and instructed to place a Code, with Supplement and session laws, on the Press reporters' table during this session for their use.

Adopted.

Senator Sullivan of the Joint Committee on Inauguration submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee on inauguration of the Governor and Lieutenant Governor beg leave to submit the following report:

The inaugural ceremonies will be held in the House Chamber at 2:30 o'clock p. m. on Thursday, January 16, 1913.

Arthur C. Savage, President Pro Tem of the Senate, will preside.

The following program has been arranged for the afternoon:

Music by T. Fred Henry's orchestra.

Calling to order by President Pro Tem Arthur C. Savage.

Invocation, Rev. Charles S. Medbury, Des Moines.

Selection by Midwestern Male Quartette—Messrs. Louis Gerhardt, Forest Geneva, Otto Jellison, Webb Pelton.

Cornet Solo, T. Fred Henry.

Soprano Solo, Maybelle Wagner Shank.

Administration of oath of office to Governor George W. Clarke and Lieutenant Governor W. L. Harding, elect, by Acting Chief Justice Scott M. Ladd.

Inaugural address, Governor George W. Clarke.

Selection by Midwestern Male Quartette—Messrs. Louis Gerhardt, Forest Geneva, Otto Jellison, Webb Pelton.

Music by T. Fred Henry's Orchestra.

We recommed that the north gallery of the House chamber be open to the public but admission to the floor of the House and the South gallery be by ticket.

EVENING PROGRAM.

Concert by T. Fred Henry and his Band.
T. Fred Henry, Conductor.
Maybelle Wagner Shank, Soprano.

1. March, "Our Own Iowa".....Henry
2. Overture, "Oberon".....Weber
3. Soprano Solo.....Maybelle Wagner Shank
4. Songs of Our Nation.....Bendix
5. Cornet Solo.....T. Fred Henry
6. Gems from "The Spring Maid".....Renihard
7. "Popular Airs".....Remick

Intermission.

8. "Auto Triumphal March".....Henry
9. Soprano Solo.....Maybelle Wagner Shank
10. "In the Shadows".....Fink
11. Serenade for Flute and French Horn.....Titl
    Messrs. W. A. Moore and Lee Pickett.
12. Airs from "Alma Where Do You Live".....Briquet
13. Airs from "A Modern Eve".....Hollaender
14. Finale, "Popular Hits from New York".....Lampe

The Thirty-fifth General Assembly of the State of Iowa extends a cordial invitation to the people of the State to attend this reception.

W. S. FRALEY,
OTTO A. HELMING,
GEO. F. CARSON,
FRANK S. SHANKLAND,
H. C. WHITE.
M. F. MCCULLOUGH,

On the part of the House.

JOHN B. SULLIVAN,
ANTHONY M. MCCOLL.
W. H. ARNEY,
T. J. B. ROBINSON,
JOHN L. WILSON,
JOHN G. LEGEL,

On the part of the Senate.

Adopted.

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

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That when we adjourn on Thursday afternoon, January 15, it will be until Tuesday, January 21, at 10 o'clock a. m.

Senator Clarkson moved to amend by striking out the word and figure "Tuesday, 21st," and inserting the words and figure, "Monday, the 20th."

The amendment was lost.

Senator Clarkson moved to lay the motion on the table to be taken up at 10 A. M., Friday morning.

Motion lost.

The concurrent resolution was adopted.

On request of Senator Francis leave of absence was granted Senator Allen for the day.

A committee from the House appeared 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 chamber under the direction of the Sergeant-at-Arms.

The Senate proceeded to the House.

JOINT CONVENTION.

In accordance with law and concurrent resolution duly adopted, the joint session was called to order, Senator Savage, President Pro Tempore of the Senate, presiding.

The roll was then called and the following members responded:

Those present were:

Anderson of Montgomery, Anderson of Greene, Ames, Arney, Atkinson, Balluff, Barry, Bartle, Bauman, Bernbrock, Bingham, Black, Blackford, Bliss, Boe, Boettger, Bradley, Brady, Brockway, Brown, Bruce, Burt, Buxton, Cannon, Carson, Chapman, Clarkson, Cole, Cowles, Craig, Crist, Cronbaugh, Crow, Crozier, Cunningham, Daniels, Darrah, Dixon, Doran, Downey, Doze, Dunlap, Dunnegan, Eggleston, Elliott, Elwood, Enger, Erickson, Farr, Fellows, Fraley, Francis, Garrett, Gates, Gillette, Goodwin, Greene of Clinton, Greene of Grundy, Griffin, Griggs, Grout, Hadley, Halgrims, Halstead, Hansen, Hazen, Heald, Heaton, Helming, Hilsinger, Huff, Hunt, Huntley, Jacobs, Jacobson, Jamison, Jensen, Jewell, Jones of Montgomery, Jones of Dickinson, Kane, Kelso, Kingland, Klay, Koontz, Kulp, Larrabee of Webster, Larrabee of Fayette, Legel, Lenocker, LeRoy, Lounsberry, Lund, Malmberg, Manning, Mattes, McColl, McHose, McManus, McVicker, Meredith, Miller, Milton, Mitchell, Munro, Neal, Newcomb, Nye, Odendahl, Perkins, Peterson, Pickford, Power, Quigley, Ream, Ring, Robinson, Rohwer, Saltzmann, Savage, Scholz, Schrup, Scott, Shankland, Sheean, Sherman, Sidey, Smith, Steelsmith, Stipe, Stokes, Stutt, Taylor, Thayer, Thomas, Thompson, Townsend, Trumbauer, Webb, Webber, White of Iowa, White of Benton, Whitney, Wilson of Clinton, Workman—145.

Those absent were:

Allen, Balkema, Chase, Clark, Dawson, DeWolf, Griffin, Hamilton, Hutchins, McCullough, Rone, Spaulding, Sullivan, Wilson of Appanoose—14.

The President Pro Tempore declared a majority of the General Assembly present at the joint convention.

Smith of Shelby 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.

Motion prevailed.

The President Pro Tempore appointed Smith of Shelby, on the part of the Senate, and Representatives Carson of Davis and White of Benton on the part of the House, as members of the committee.

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

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

THIRTY-FIFTH GENERAL ASSEMBLY, JANUARY, 1913.
BIENNIAL MESSAGE OF THE GOVERNOR.

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

The constitution makes it the duty of the Governor to transmit to every regular session of the General Assembly a message with reference to the conditions of the state and recommending such things as he shall deem expedient. If I shall attempt to discuss in your presence the many matters of importance to which in my judgment you should direct your attention during the present session of your honorable body, it will require a message of considerable length, and I therefore, in the beginning beg indulgence for such time as may be necessary to a proper understanding of the subjects herein referred to.

In my opinion, few, if any, sessions of your honorable body have ever been confronted with so many important measures, as will be presented to you in the course of your deliberation, and none have had better opportunity for doing a vast amount of valuable service for the state. Many of the more important subjects that will come before you, have been considered by special commissions during the time since the adjournment of the last session of the General Assembly, and have been reported upon, some in the form of bills, while other measures have been so thoroughly considered at other sessions of the legislature as to render them more easy of solution by you. I know of nothing that should in any way interfere with the work of this session. It seems, therefore, that we may reasonably expect an unusual amount of valuable legislation at your hands, and I congratulate you that you enter upon your duties under such favorable circumstances.

CONDITION OF THE TREASURY.

I am pleased to be able to say to you that the finances of the state appear to be in a very satisfactory condition. On the first day of January of the present year the balance in the treasury standing to the credit of the general fund amounted to $971,672.11. Deducting the Fish and Game fund and the automobile tax, leaves the net balance, in round numbers, $730,600, as against $645,000 on January 1, 1911, after making like deduction, and $299,600 January 1, 1909.

The biennial report of the Auditor of State shows that on July 1, 1912, there was in the state treasury to the credit of the general fund $818,000 after deducting the Fish and Game fund and Automobile tax. The Auditor estimates that the receipts from July 1, 1912, to July 1, 1915. will amount to $13,482,000, making the total assets $14,300,000. He estimates the expenditures from July 1, 1912, to July 1, 1915, to be $12,350,000. To this should be added $650,000 to meet expenditures between July 1, 1915, and October, 1915, during which time the state's income will be small. These two items taken together make a total of expenditures of $13,000,000, which would leave $1,300,000 available for extraordinary expenditures during the biennial period ending June 30, 1915. It will be unsafe to appropriate a larger amount than this unless you make provision for increasing the State's income sufficient to meet any excess in appropriations.

THE CAPITOL GROUNDS.

A comprehensive scheme for enlarging the capitol grounds should be adopted by you and plans made for the eventual acquiring of the lands to be added to the present holdings of the State. I would recommend that the State buy all of the grounds lying between East Ninth and East Twelfth Streets, beginning at Capitol Avenue and extending to the railroad tracks at the foot of the hill to the south. The grounds thus acquired, lying south of Walnut Street, should be parked and beautified, and upon them should be placed the Allison monument and such other monuments as may be erected in the future, and when the state shall build an executive mansion, it should be placed upon the high point of ground to the southeast of the capitol building. Upon the block immediately east of the state house and south of Capitol Avenue, should be located a judicial building. I would also suggest that when the time comes that it is necessary to make any considerable improvement in the State's power plant, it would be wise to consider moving it to the foot of the hill, south and southwest of the state house, where it could be reached by a switch, thereby saving the large amount of money that is annually paid for hauling coal with teams and wagons, and also getting rid of the dirt and smoke and the somewhat unsightly appearance of a heating plant immediately in front of the capitol building.

In suggesting the enlargement of the capitol grounds, I wish to say that the owners of some of the lots included in that which I have referred to, have already expressed a willingness to sell the same and some have submitted a price for their holdings. I want also to say that at two or three different times efforts have been made to secure a change of grade in some of the streets about the state house, which change would have a very material effect upon the surroundings, it additional lands are to be acquired. The council has each time objected to these changes and asked the parties interested therein to wait and take the matter up with you with a view to securing co-operation between the city of Des Moines and the State in some general plan of improving the state house surroundings, and I recommend the appointment by you of a committee to

take this matter into consideration and co-operate with the officials of the city to the end suggested.

In my opinion the State might profitably dispose of Governor's Square, allowing the city to purchase it for a park if so desired, and invest the proceeds in lands above suggested for purchase.

JUDICIAL BUILDING.

The demand for more room for the accommodation of the various officers and commissions of the State seems imperative. We now have the Dairy and Food Commissioner and the State Veterinary Surgeon quartered in the old brick building across the street east from the state house, which building is poorly equipped and ought to be vacated. The State Board of Education, the State Fire Marshal, the Commerce Counsel, the Rate Department and the Oil Inspector have been occupying committee rooms and are now temporarily located, some with other departments in this building and some in the Historical Building.

In order to furnish needed room it has been suggested that an office building be erected. Some such arrangement should be made, but in my opinion the logical thing to do would be to erect a Judicial Building, remove the Supreme Court and all of its correlated departments out of the state house and bring all administrative officers and commissions together in this building. By this method the Supreme Court, the Clerk of the Court, the Attorney General, the Law Library and the Commerce Counsel would be removed from this building and the quarters occupied by them would be released for the use and accommodation of other officers and commissions. The library room is of the height of two full stories and could be converted into two stories, the upper of which would be accessible from either elevator at the gallery floor.

By the above arrangement 19,000 square feet of floor space would be released for use which is practically the equivalent of a four-story building 100 feet long by 50 feet wide.

I believe the above would be the logical division of departments to make, inasmuch as it would bring the court and the legal department of the state into one building and all executive officers into the other. This has been done and is being done in a number of states. It has the indorsement of our Supreme Court and in my opinion is the plan that should be adopted.

ELEVATORS.

The old hydraulic elevators in the State House continued to give so much trouble that the Executive Council became alarmed lest some accident might result from their operation. It was deemed advisable to replace them with electric machines. In order to meet the expense incident to this change it became necessary to use the money appropriated by the omnibus appropriation bill of the last session of the General As-

sembly for the installation of elevators in the north and south wings of the building, the Attorney General holding that said appropriations might properly be so used. The new elevators cost $3,000 each.

SOLDIERS' HOME-COMING.

A year or more ago it was suggested to me that it would be appropriate to have a home-coming for all surviving soldiers who went from the State of Iowa into the service of their country during the war of the rebellion. The time was too short to make preparation for such a home-coming during the year just passed. It is now proposed to observe such an occasion during the present year in connection with the state encampment of the G. A. R., which encampment will be held in the City of Des Moines some time during the summer.

I most heartily and earnestly concur in this movement and recommend that some appropriate preparation be made for this occasion and that an appropriation be made by you to assist in defraying the expenses thereof. Not only men who went from Iowa into the service, but hundreds and possibly thousands of others would engage in these exercises. It ought to be made a great occasion for the old soldiers whose years, at most, cannot be many.

PROVIDENTIAL CONTINGENT FUND.

The Thirty-fourth session of the General Assembly appropriated $50,000 as a providential contingent fund to be expended under the provisions of section 170 of the Code. I recommend that you renew this appropriation. Under an opinion of the Attorney General it has been held that this fund may be used for various purposes, such as paying the expenses of the National Guard when called out to suppress riots, for the restoration of state property when destroyed by unavoidable cause, etc., so that it cannot properly be regarded any longer as a providential fund. While not calling into question the correctness of the opinion I want to suggest that the section of the Code should be so amended as to make it clear as to just what use is to be made of this fund and the term by which it is designated should conform to the uses for which it is intended. The law should also be amended so that the expenses of the Guard when on riot duty could be paid from the general fund of the treasury. A single conflagration or disaster might make it necessary to expend the entire amount of the appropriation herein referred to and leave the Governor without any means of meeting guard expenses as herein contemplated except by calling the legislature into special session. And again, since it is provided that the so-called providential contingent fund can only be expended by unanimous consent of the members of the Executive Council any one member of that body refusing to agree to the payment of guard expense from this fund could hold the claims up and prevent their payment or compel the Governor to call the General Assembly into session. While it is not probable that such a contingency as this would ever arise the possibility of it ought not to exist.

NATIONAL GUARD.

In my message of two years ago I expressed it as my opinion that the National Guard had attained to a degree of efficiency never before equalled. I think I am warranted in again saying that the efficiency of the Guard has never been so great as at the present time.

Within the last four years there has been a great revival of interest with reference to quarters for the companies so that of the forty-eight companies constituting the four regiments of the guard thirty-three are now provided with permanent quarters, many of which were erected for the exclusive benefit of the companies themselves and others have been so arranged as to meet their needs and requirements.

Early in the summer of 1910 I found it necessary to call out six companies of the Fifty-fourth regiment in charge of Major Ball under the direction of General Logan to suppress rioting in connection with the general strike among the button workers at Muscatine. The conduct of the guard was exemplary and the work done by the companies was very effective and commendable. This service covered a priod of sixteen days.

INSURANCE, BANKING, ETC.

Conditions in the State with reference to insurance and banking have been quite satisfactory during the last two years. There are now reporting to the department 1,049 banks and trust companies as against 950 two years ago, and the deposits have increased from $247,000,000, June 30, 1910, to $285,000,000 September 11, 1912.

There have been no great conflagrations during the year and the mortality among our people has been about normal.

The Auditor of State in his biennial report recently filed with me again recommends that a system of examination of county accounts and records be established and to this recommendation I want to give my approval. It seems to me that the number of defalcations and irregularities that have occurred during the last few years will impress upon you the importance of the above suggestion.

MINING AND LABOR DEPARTMENTS.

The entire chapter of the Code relating to mines and mining in the state was revised during the last session of the General Assembly and I am pleased to say that under the new law things have worked out in a very satisfactory manner. There have been no serious disasters and the merits of the statute enacted I think have fully justified the revision of the law.

The Labor Department of the State is in a most excellent condition and I commend the Commissioner upon his faithful and wise administration of the affairs of the offce. Some revision of the laws will be asked

and requests will be made for extending the service of the department. One of the most important matters with reference thereto is that of changing the law with regard to employment agencies so as to eliminate what is known as the "padrone" system.

In my opinion the powers and authority to inspect hotels should be transferred to and made a part of the duty of the Labor Commissioner. It is wholly unnecessary to have two sets of men traveling over the state when the work of inspection herein referred to could be performed equally as well and at a much less expense by the Labor Commissioner and his deputies who of necessity must visit all parts of the State in the performance of other duties.

I recommend a careful consideration of the matters herein referred to.

HEALTH DEPARTMENT.

While the Health Department of the state seems to show a more satisfactory condition than heretofore, I am still of the opinion that the executive head of the department should be the man in immediate charge of the office. Under a system similar to that now in vogue this, of course, would be the secretary. The present incumbent in that office has proven himself to be a very capable and efficient public servant. I want again to recommend that the members of the Board be placed upon a salary and that the Board be made advisory rather than directory. I believe a plan of reorganization similar to that presented to the last session of the General Assembly would render the department more efficient.

HOG CHOLERA.

Again our State has been visited by a severe scourge of hog cholera. The value of the animals that have died during the last year is estimated at not less than $12,000,000.00. The most effective, and in fact, so far as I am aware, the only remedy that seems to check or prevent the spread of this disease, is what is familiarly known as the serum method of treatment. There has been appropriated $8,000 biennially for the manufacture of serum in this State. This has been wholly inadequate to meet the demand during the last few months so that large quantities have had to be shipped in from other states. I recommend a larger appropriation and better preparation for the manufacturing and distribution of serum to the end that in the future we may be able to avoid the great loss that has resulted from the spread of disease among swine.

Statistics also show a tremendous loss in the value of the swine produced in the State by reason of the prevalence of tuberculosis. It is generally believed that this disease among swine is largely due to its prevalence among cattle, and in order to eradicate it from the one it will be necessary to eradicate it from the other also.

Dourine has also been found to exist among the horses in a few localities of the state, but has been closely quarantined and seems fairly well under control.

You will, no doubt, be called upon to legislate so as to enable the authorities of the State to better regulate and control these as well as other diseases among animals.

BEE INSPECTION.

Most of us, I presume, have regarded the bee industry of the State as a matter of no particular consequence. I must confess that I have been surprised to learn that there are perhaps forty thousand people in the state who are more or less extensively engaged in the handling of bees, and that the value of the honey produced is estimated as exceeding one million dollars. This industry is being badly injured and in fact its existence is threatened by what is termed "foul brood." We have a law creating the office of Bee Inspector, but for some reason no appropriation has been made to meet the expenses and pay the salary of such official.

It has been suggested that the matter of bee inspection and nursery inspection be combined, that an appropriation sufficient to meet the requirements of both be made and that the work be placed in the hands of the State Entomologist. I hardly feel sufficiently informed on the subject to recommend that this be done, but the plan seems to me to be feasible and I recommend it to you for consideration. I do wish, however, to urge upon you the making of ample provision for ridding our State of "foul brood" which is prevalent in many parts of the State and which is rapidly destroying the bee industry.

WEIGHTS AND MEASURES.

The question of weights and measures is becoming of great importance to the people of our State and since the matter of testing scales has been lodged with the Dairy and Food Commissioner and other states have clothed that official with authority as to the subject of weights and measures, I recommend that he be made the superintendent of weights and measures in this State. I also recommend that the laws upon these subjects be so revised as to make them more effective and bring them up to date.

The dairy interests of the State have grown to such an extent that we now rank first of all of the states in the production of butter and are making very satisfactory progress in other lines of dairying and stock raising. Much of the work that has been accomplished during the last four years is due to the aid given by the State in the way of appropriations made.

During this session you will, no doubt, have presented to you measures intended to better the sanitary conditions of the state, not only as relates to dairying, but with reference to the health of the people of the state and with especial reference to food products. It is universally conceded that a proper observance of sanitary law is the most potent factor in the establishment and maintenance of a healthful con-

dition, both among men and animals. I feel assured, therefore, that you will give due regard to the necessity for the enactment of better laws upon the subject of sanitation.

AGRICULTURE AND HORTICULTURE.

Without going into details with regard to the Department of Agriculture and Horticulture, I desire to say that very satisfactory progress has been and is being made in each and that as far as is consistent with other interests of the State, you should continue to aid and encourage them.

You will be asked for an appropriation for the erection of a woman's building upon the State Fair Grounds, to be used not only as an art building, but as an auditorium for lectures and for other purposes tending to the promotion of the moral, social and intellectual advancement of the people of the State. In considering improvements to be made, you should give thoughtful consideration to this request. We should not overlook the necessity and importance of promoting the welfare and strengthening the citizenship of the State. The request for the erection of a woman's building is with a view to accomplishing these results, and I desire to give it my hearty approval.

In this connection, I wish to call your attention to the fact that the Federal Government has established a Child Welfare Department or Bureau, and that the subject is being very generally considered in many states of the Union. Certainly there can be no more important subject than the welfare—physical, mental and moral—of our children, and Iowa could do herself no greater honor than to be the first state in the Union to place upon her statute book a law establishing a Child Welfare Department or Bureau as a permanent branch of our State Government.

STATE FIRE MARSHAL.

The Thirty-fourth session of the General Assembly enacted a law creating the office of State Fire Marshal. The law has been in operation now a year and a half. The results have been very satisfactory and in my opinion the vigorous manner in which Fire Marshal Ole O. Roe and his assistants are enforcing the law will greatly reduce the number of incendiary fires throughout the State. From July 1, 1911, when the law took effect, up to the present time more than 3,700 fires have been reported to the Marshal's office, of which more than 175 were suspected as being of incendiary origin, and have been investigated. As a result of these investigations four persons have been convicted and sent to the penitentiary, two were given jail sentences, one was sent to the insane asylum, one to the boys' industrial school, two to the hospital for inebriates, two were fined, one was acquitted and eleven indictments are now pending.

Nearly five hundred buildings have been inspected and many orders have been issued with regard to removing the danger of fire incident to the unsafe conditions found to exist.

STATE SHERIFF.

It has been suggested that there is need of a state official or officials who, under the direction of the Governor, could be sent into any part of the State to make investigation where crime has been committed and to assist the Governor and the Attorney General in enforcing the laws. Several occasions have arisen during the last year where such an official might have accomplished great good and some instances have arisen where, beyond question, his services would have been of value to the state. In the case of the murder at Villisca, one of the foulest crimes ever committed in this or any other state, aside from the limited reward that the Governor may offer, the State was without any direct means of assisting in apprehending the murderer. However, in order to do all that was within our power we employed for several weeks a detective from the W. J. Burns detective agency and paid him for his time and expenses out of the Attorney General's contingent fund and I reimbursed the Attorney General from the Governor's Counsel fund. While this is an unsatisfactory way to transact business we felt that we were operating entirely within the law and that every citizen of the State would approve what was done. The suggestion of a state official to act in the capacity above mentioned is worthy of your consideration and I recommend that provision be made so that the power of the State will be strengthened either as above provided or in some other effective manner.

COMMERCE COUNSEL.

The Thirty-fourth session of the General Assembly created the office of Commerce Counsel and made appropriations for the use of the Counsel and the State Board of Railroad Commissioners in matters pertaining to interstate and intrastate commerce. The results obtained with reference thereto have been much more satisfactory than in the past, and I feel assured that the creation of the office of Commerce Counsel has been fully justified. I am convinced, however, that the power and authority of that official should be enlarged. He should be made the legal adviser of the Board of Railroad Commissioners. He should also have charge of proceedings in the courts where injunctions are brought against the Commission to restrain it from enforcing its rules or orders or where actions are brought by the Commission for the enforcement of such rules or orders. He should also be clothed with authority to appear and have charge of and prosecute all cases ordered by the Board of Railroad Commissioners or brought by the Counsel himself before the Interstate Commerce Commission.

In making the above suggestions there is no thought to in any way limit or interfere with the power of the Attorney General with reference to these matters. His authority being constitutional could not be interfered with by a statutory enactment, but any law to be enacted should be so drawn as to fully recognize his authority with reference to the matters under consideration.

ARBITRATION OF DISPUTES.

I want again to call your attention to the necessity for the enactment of a law requiring disputes between employer and employe to be submitted to arbitration before a strike or lockout can be ordered. This matter was called to the attention of the Thirty-fourth session of the General Assembly, but the necessity for action did not seem to impress itself upon the members of that body. Since then we have had a number of disputes and disagreements, some of which have resulted in strikes of a more or less serious character. In some instances the disagreement arose over matters of a trival nature which ought to have been adjusted without difficulty. I most earnestly urge upon you the necessity for legislation with reference to the matter herein suggested, both in the interest of the employe and the employer, and also in the interest of the general public which is often inconvenienced and injured by these industrial disturbances. This is a subject of far-reaching importance and you ought not to adjourn without enacting a law with reference to it. I can not urge this upon you too strongly. You will find both in Canada and in Australia as well as in some of the states, statutes bearing upon this subject which apparently have worked fairly well and which may be made the basis of laws to be here enacted.

AN IMMUNITY STATUTE.

Near the close of the last session of the General Assembly there was presented and passed through the House a measure designed to strengthen our laws for the prevention of combinations in restraint of trade or for the fixing of prices of commodities. The bill failed in the Senate during the closing hours of the session. Without an immunity statute it is very difficult to secure evidence sufficient to justify the bringing of an action even when it is generally conceded that unlawful combinations exist. I recommend that our laws be amended in substantial harmony with the provisions of the bill above referred to.

LAW ENFORCEMENT.

In my inaugural address of four years ago I stated that events that had recently occurred had brought forth a demand for law enforcement and that the matters referred to had reference to violations of the liquor statutes of the State.

The Thirty-third General Assembly, then in session, enacted what are commonly known as the Cosson removal statutes, which statutes, in my opinion, have done much to bring about a wholesome regard for all laws of the state, and especially for the liquor laws, so that I feel warranted in saying that perhaps at no time in the State's history have these laws been better observed than at present.

From the Iowa Official Register and from other sources, it appears that in September, 1908, saloons were being operated in forty counties of the State and that there was a total of sixteen hundred and twelve in

operation. Recent statistics show that there are at present only thirteen counties where saloons generally exist, that there is one county which has saloons in two cities only and nine counties which have saloons in only one city each, while there are seventy-six counties that have no saloons at all, and the total number in the state is only seven hundred and thirty-one.

This shows the largest extent of "dry" territory and the smallest number of saloons for many years if indeed not at any time in the history of the State since it attained to any considerable size in population.

PUBLIC UTILITIES COMMISSION.

Again I want to call your attention to the need of better laws with reference to regulation and control of public utilities and to the creation of a public utilities commission. It is not necessary to enter into a lengthy discussion of this subject. That you can find in my message of two years ago. What I want to do here is to urge that this question be taken up early so that it cannot be said in the closing hours of the session that "There is not sufficient time to properly consider the matter." I would recommend the Crist Bill of the last session of the General Assembly as a basis from which to work, making any changes therein that may be necessary to meet the conditions and requirements of our State. Let no man offer the excuse that he opposed a measure because it contained objectionable features unless he can, in good faith, show that he tried to secure the elimination or modification of such provisions as do not meet with his approval.

The bills considered during the last two sessions of the Legislature went to defeat largely by reason of the opposition of officials of certain cities who as an excuse for that opposition set up the false claim that the measures were designed to aid corporations. It might better be said to have been the selfish opposition of public officials who feared a curtailment of some of their powers and the removal of a convenient campaign issue. What we need in the regulation of corporations and the guarding of the interests of the public, is a commission that is well qualified for the work to be done, has the courage of its convictions and is so far removed from local influences as to be fearless in the performance of duty. With such a commission we may expect efficient service from public service corporations, and not until we have such a commission.

INSTITUTIONS UNDER THE BOARD OF CONTROL.

It will not be possible for me to go into detail with regard to the many institutions under the management of the State Board of Control, but there are some things in connection with most all of them to which I wish to call your attention and then most earnestly request of you a careful perusal and consideration of the recommendation made by the Board in its report, which is now available for your inspection and use.

I think I ought, however, to say that as compared with the educational institutions of the state, the institutions under the charge of the Board

of Control fared rather badly at the hands of the last session of the legislature, consequently, the necessities of those institutions are greater at this time by reason of the fact that they were in some respects neglected two years ago. This is not stated by way of criticism, because I do not believe that the educational institutions received more than they should have had, but the institutions under charge of the Board of Control which did not receive adequate appropriations two years ago will necessarily require more liberal appropriations at your hands.

SOLDIERS' HOME.

Among other things, the Board is asking for a definite amount for the maintenance of the Soldiers' Home rather than that it should depend upon a per capita allowance as at present. This I think will readily appeal to you when you have in mind that the number of inmates of the Soldiers' Home will very soon, in all probability, decrease at quite a rapid rate so that it will either be necessary to make much larger per capita allowance or to provide for a fixed monthly amount to be used for maintenance. I cannot impress upon you too strongly the duty which rests upon you as members of the Legislature in making every provision for the proper care and support of the veterans of the Civil War and their wives, who by reason of age, infirmity or lack of funds by which to support themselves have found homes in our State Institutions.

ORPHANS' HOME.

At the Orphans' Home at Davenport appropriations are asked for to erect an addition to the hospital and also for the erection of a school building I wish to say in this connection that upon my last visit to this Institution I was impressed with the very crowded conditions of the school and what seemed to me to be an imperative demand for more school room. The work in the school and the management of the institution are of a very high order, but more room is badly needed and I urgently recommend that provision be made for at least three or four additional rooms or for a separate building for lower grades, as is recommended by the Board of Control.

SCHOOL FOR DEAF.

There is little that I need to state with regard to the School for the Deaf except that small appropriations for many purposes are requested but the aggregate is not large and the necessities of the institution in this respect are not so great as at the other institutions of the state. Two years ago I recommended that the School for the Deaf and the School for the Blind be transferred from the Board of Control to the State Board of Education. The latter was transferred but the former was not. The deaf people of the state and those persons whose children are sent to the institution feel that it ought to be taken out of the group of penal and charitable institutions and classed with the educational institutions. There is much merit in what they have to say and I suggest that you give it due consideration.

INSTITUTION FOR FEEBLE MINDED.

At the Institution for Feeble Minded Children an appropriation sufficient to complete the girls' cottage will be asked for. The foundation of this building has already been put in and it is necessary in order to complete the structure that a sufficient appropriation be made therefor.

TUBERCULOSIS SANATORIUM.

A medical building is asked for at the Tuberculosis Sanatorium. This is needed not only in order to meet the requirements of the institution as at present, but in anticipation of any enlargement upon our method of conducting this Sanatorium. I believe the results obtained have fully met the expectations of those interested in the management as well as those who have observed the workings of the institution. The receiving quarters are inadequate and if the best results are to be had from the maintenance of an Institution of this character it should be so extended as to furnish treatment and a home for patients in advanced stages of consumption as well as in the incipient stages. In fact the danger of the spread of disease by those in advanced stages of consumption is very much greater than those in the incipient stages. In my opinion the scope of the work at this Institution should be enlarged as is herein suggested.

INDUSTRIAL SCHOOL.

At the Industrial School for Boys an appropriation is asked for in order that the administration building may be reconstructed so as to use a portion of it for a gymnasium.

At the Industrial School for Girls at Mitchellville no large appropriation is asked for any particular item and the aggregate of appropriations is small.

HOSPITALS FOR INSANE.

At the Hospital at Mt. Pleasant and at the Hospital at Clarinda appropriations are asked for the erection of a Psychopathic Hospital.

At Independence an appropriation is asked for the erection of a cottage for patients afflicted with tuberculosis.

At Cherokee an appropriation is asked for the erection of a home for employes.

Several of these hospitals are badly crowded but it seems to me that at least two of the items herein mentioned are deserving of especial consideration. That is, buildings for the segregation of tubercular patients and homes for the employes to which they may go for rest and relaxation after their day's work in caring for the patients has been completed.

The items herein referred to with reference to the above Institutions are only a few of the many which will come before you for consideration.

I wish to add that in general our State Institutions are in a very satisfactory condition and I feel warranted in commending the supervising officers as well as those in charge of the Institutions of the State.

FORT MADISON.

Some months ago there was a good deal of complaint regarding the prison and prison management at the Penitentiary at Fort Madison. I had the complaints carefully investigated by the Board of Control, investigated most of them myself and had the President and Secretary of the State Board of Health inspect the prison as to its sanitary condition. At a still later date I asked the Attorney General, assisted by Judge M. A. Roberts of Ottumwa and Hon. Parley Sheldon of Ames to make an investigation of the complaints and report the same to me. The result of it all was that nothing was reported that justified any serious complaint except such as necessarily attached to an old, and in many respects, out-of-date institution, which the Board of Control is trying to modernize as fast as can be done with the funds and means at hand. The new cell house is being constructed and when done will afford an opportunity to reconstruct the old cell house and to a great extent remove any just cause for complaint from that source.

An appropriation is asked for by the Board of Control for the completion of the cell building. The feeling among the prisoners at this time is much better than formerly, discipline has improved, and things are moving along apparently without friction and in a satisfactory manner.

ANAMOSA.

In my general discussion of prisons and prison management and the employment of prison labor I have stated what I think ought to be done for the Anamosa Institution. I only wish to say here that conditions at the reformatory aside from what I have elsewhere stated, are quite satisfactory and the management is capable and efficient.

EPILEPTIC COLONY.

Two years ago I discussed at some length the necessity for the establishment of an Epileptic Colony. Without assuming to discuss it again I wish to say that the needs for such an institution are even greater today than ever before and in my opinion the next eleemosynary institution that is established should be a home or colony for epileptics. An appropriation is this year asked for by the Board of Control for the establishment of an Institution of this character and I want to give it my most hearty approval and endorsement.

KNOXVILLE.

Two years ago I felt compelled to say to the 34th session of the General Assembly, that conditions at the Hospital for Inebriates were so unsatisfactory that we might well consider abandoning the Institution.

Sinse that time conditions have changed so that the present management is deserving of congratulations. However, there is still opportunity for great improvement and the Superintendent believes that in order to make the Institution a recognized success and put the question of the advisability of maintaining it, beyond a doubt it should be made dual in character. That is, there should be a hospital for the treatment of those who need treatment and there should be a work house, or custodial building within an enclosure or walls for those who need reformation rather than treatment.

This suggestion is very much in line with what I proposed two years ago and I want to recommend it to you for consideration and adoption.

COMMITTEE TO VISIT STATE INSTITUTIONS.

Again I want to urge upon you the suggestion made in my message of two years ago, that you create a Committee which during the sixty or ninety days preceding the convening of the session of the General Assembly shall visit and study the needs of our various State Institutions. With due regard for the members of this body I am compelled to say that in my opinion the ordinary junket to the institutions, by committees appointed as heretofore. means little if anything more than a visit with the superintending officer and a hurried look at the Institution. It cannot result in any great amount of good or furnish any valuable information. You should appoint a special Committee and give it time to make a thorough study of the needs of the Institutions in order that you may better understand them when they come before you for consideration.

STATE BOARD OF EDUCATION.

The law creating the State Board of Education took effect July, 1909. As with all other changes from an established custom there has been more or less criticism with regard to the management of our Institution under this Board and yet the Institutions themselves have prospered and flourished. The attendance at each of the schools under the control of this Board, I am informed, shows a considerable increase. The Board in its recent report, filed with me as Governor of the State, has made a number of recommendations and has announced its purpose to transfer the Engineering Department from Iowa City to Ames and the Domestic Science Department and the Liberal Arts Department from Ames and Cedar Falls to Iowa City. These proposed changes have brought many protests and vigorous opposition exists with reference to them. The Board has based its action upon its own judgment and the advice of men skilled in educational affairs and in the management of Educational Institutions.

Without expressing an opinion as to the wisdom of the proposed changes I wish to say to you that before taking such steps as will override the judgment of the governing body of these institutions the most careful and painstaking consideration should be given, not only to the

immediate effect of the changes proposed, but to the ultimate interest and welfare of the State and also of the Institutions. I recommend to you a careful perusal and study of the Board's report and also of the reasons assigned for its action.

The needs of the various Educatioual Institution will be presented to you by the Board and its Finance Committee and to these needs I also ask your attenion.

PUBLIC SCHOOLS.

You will have no subject to deal with which demand more careful consideration than that of Public Schools.

At the session of the State Teachers Association in 1911 an appropriation of $2,000 was made from the funds of the Association to meet the expense of a Commission appointed to investigate Public School conditions in the State and report its findings to the Association. That Commission is known as the "Better Iowa Schools Commission." It has spent much time in considering what might be done to better the condition of our schools and has made its report which will be available for your use and which I most highly commend to you for consideration.

One of the strong features of the report is that bearing upon the question of consideration of territory or enlarging the unit for school purposes. I think I can do no better than to quote in part from a discussion of this subject by our State Superintendent of Public Instruction in which he says: "The existence of rural sub-districts and rural independent districts, especially the latter, is a hindrance to securing better school facilities in the State. The unit of organization should be sufficiently large in order that the taxing unit will not only support good schools below the eighth grade, but also a high school department, offering from two to four years' work bearing a close relationship to the interests and industries of the community. The small rural independent district not only affords a territorial area too small to provide a proper educational unit, but it is too small for community purposes as a school unit. A rural high school building located at the center of the township would provide a good place for the educational, social and recreational activities of the community, and our aim should be for such a center for every community in Iowa. The rural high school is just as essential to a complete system of education for the country as is the town high school to a complete system of education for the town. The rural independent district embraces too small a territory to support a high school because of the small number of resident pupils. The adoption of an area to consist of not less than the Congressional township, is the most important need of legislative action today relating to schools "The consolidated schools offer a partial solution to the teacher problem. A less number of teachers will be required and better wages will be paid. There will be better qualified teachers who will make the work of teaching more nearly a permanent occupation."

It must be apparent to all who have given consideration to school matters that we have not been giving as much attention to the strengthening of the lower grades in our schools as should be given. Perhaps 90% of the school children of the State never go beyond the eighth grade. Something should be done to keep more pupils in school until they complete the public school course. So far as the country pupils are concerned, I believe this can be done by enabling them to study the branches that relate more directly to the things in which they are interested and to which they will in all probability turn their attention in the future, viz.: Agriculture, Horticulture, Manual Training, Home Economics and Domestic Science. Both the State Superintendent and the Better Iowa Schools Commission say in their reports that answers to inquiries sent out by them indicate that there is a general demand for the teaching of these subjects in the country schools. You should make it possible to meet this demand.

Every suggestion of enlarging the size of our school districts and transporting pupils suggests the necessity for improving our highways. That subject I have discussed elsewhere and will, therefore, not further consider it here.

I want most heartily to endorse the recommendation for doing all that can be done to better equip teachers for the work which is expected of them and to induce them to continue in the work, and to this end I endorse the recommendation to authorize contracts, with teachers, not only superintendents, but other teachers as well, for a period longer than that now permitted. This of itself should tend to cause teachers to continue in the work. I know from experience that the uncertainties which arise, at the end of each school year with regard to re-employment are not only sources of worry and annoyance to teachers, but cause them to want to obtain other employment where such uncertainties do not exist.

I want also to endorse the suggestion regarding the increase of salary of the State Superintendent and the recodification of the school laws, the merits of both of which I think will be so apparent to you that they need no discussion.

It is not possible for me to refer to all of the many phases of the school question which demand attention and I therefore invite you to a careful study and consideration of the suggestions and recommendations made by the Superintendent of Public Instruction and to the report of the committee on Better Iowa Schools.

MORE NORMAL SCHOOLS.

If we are to accept the opinions of those who are engaged in school work and who make a study of school questions as to what is needed to advance the interests of the Public Schools, and especially of the rural schools, I think we will be forced to the conclusion that we need more and better facilities for the training of teachers, that is, teachers for grade work, as well as for high school work. This being true it naturally

follows that we need more Normal Schools. This thought is suggested and emphasized not only by the State Superintendent of Public Instruction and the Better Iowa Schools Commission but by the State Board of Education. I want to give my endorsement to the suggestion and to recommend that you take such steps as will eventually result in the establishment of at least two or three more Normal Schools to do that kind of work which is necessary to properly equip the common school teachers for the duties which they are expected to perform.

REVISION OF TAX LAWS.

One of the most important matters that will come before you for consideration will be that of the revision of our laws relating to revenues and taxation. At the last session of the General Assembly provision was made for the appointment of a special commission to consider the question here referred to and to report its findings to this session of the Assembly in order that you might be better able to enact such changes in our laws as would make them more just and equitable. That report has been presented to each of you in the form of a printed volume. I want to commend the Commission for the splendid work that it has done and to request of you the most careful consideration of the recommendations contained in the report. It will be impossible for me to go into detail in a discussion of the report and recommendations, but there are some features of them that I want to consider with you.

It is proposed by the Commission that property be assessed at its actual value, instead of twenty-five per cent of such value. Reference is made in the report to the fact that every State in the Union except Alabama lists property at its supposed actual value and that all other States except Illinois, Idaho, Nebraska, and Iowa assume to assess property at full value and hence the conclusion is reached that the Commission is fully warranted in recommending that a change be made in the laws of this State. However, in order to prevent a large increase in taxes by reason of the change in the basis of assessment it is proposed and provided that the levies now provided by statute for various purposes shall be correspondingly reduced.

It is also proposed to change the method of assessing bank stocks, making such stocks assessable at full value and assessing the surplus and undivided profits in such banks upon the same basis that moneys and credits are now assessed. By this means it is hoped not only to reach a more equitable assessment but to encourage banks in building up a strong surplus.

It is further proposed that the Constitution of the state be so amended as to permit or require public service corporations, especially transportation companies, to pay their taxes direct into the state treasury. This subject I called to the attention of the last session of the General Assembly. It is well worthy of your consideration. A number of states have such a law and with a law of that kind enacted in this state some of the vexing questions with which we now have to contend would be re-

moved, especially the question of equalizing between counties, which is one of the difficult if indeed not impossible matters and from which many inequalities arise. There is not a wide difference in the amount of taxes now paid by transportation companies and the amount paid by the counties into the state treasury, so that a change of this character need not seriously disturb the state or the counties as to the amount of taxes raised.

It is proposed by the report of the tax commission and by the bill which it has prepared to change in some respects the machinery for administering the tax laws. Instead of the Executive Council of the State acting as a board of assessment and review those duties are to be transferred to a permanent tax commission with powers somewhat broader than those now lodged with the Council. After ten years of experience as a member of the Council I feel warranted in saying to you that under our present system it is not possible for the Council to perform its duties as a board of assessment and review in a satisfactory manner. The proposed commission is to consist of three members to be appointed by the Governor, confirmed by the Senate, and to serve for a period of six years. There is also to be a county assessor and local assessors but no township board of review. The county assessor is to have authority to review the work of the local assessors, making such changes or alterations therein as he may deem necessary and his work is subject to review by the county board of supervisors. The first county assessor is to be appointed by the Board of Supervisors and thereafter the office is to be filled by election as other county officers are elected.

These are only a few of the more important parts of the report and the bill that will come before you, but I desired to call them to your attention because I feel that they demand especial consideration.

The commission has re-written the entire chapter on revenue and taxation, so that when you have finished your work, if the proposed measure is adopted, you will have a single statute rather than the old law with amendments.

MONEYS AND CREDITS.

The Executive Council in fixing the levy for state purposes for the year 1912 necessary to bring in $2,500,000 required by Chapter 190, Acts of the 34th General Assembly, found it necessary to increase the levy from 3 and 3-10 mills for general state purposes to 3 and 4-10 mills. The necessity for this increase appears to be directly traceable to the change in the law with reference to the assessment of moneys and credits.

For the year 1911 the taxable value of the moneys and credits listed in the state amounted, in round numbers, to $42,500,000, which, under a 3 and 3-10 mills levy yielded to the state an income of $140,000. For the year 1912 the actual value of moneys and credits listed was, in round numbers, $188,700,000, which upon a levy of five mills, that provided for by the law enacted by the last session of the General Assembly, would yield an income of $943,500. Of this amount the state receives about

1-14th part, or an income of substantially $67,000, showing a loss to the state of about $73,000. In order to make up this loss it was necessary to add 1-10 of a mill to the general levy for state purposes.

I am not ready to say that the present statute on the assessment of moneys and credits should be repealed, as there may be advantages resulting from interest rates, etc., that compensate in part at least for the loss of taxes, but I am of the opinion that the enactment of the law fixing a flat rate of five mills upon the dollar upon moneys and credits and the repeal of the tax ferret law at the same time was of questionable propriety, for the reason that the change in the method of assessment of moneys and credits has not brought upon the tax books the added amount of these items that was predicted. The law has not, however, been tried long enough to make certain what will be its final effect.

DIRECT INHERITANCE TAX.

Again I want to recommend the enactment of a law taxing direct inheritances. So many states have adopted a law of this character that it has become a recognized legitimate source from which to derive revenue. I should exempt ordinary estates from the operation of the law and would increase the tax with the increased value of the estate.

Perhaps half of the states of the Union now tax direct inheritances. Iowa ought no longer to neglect the adoption of such a statute but should keep pace with the adjoining states, four at least of which have such a law.

LAND AND PERSONAL CREDIT ASSOCIATIONS.

I desire to call your attention to the question of land and personal credit associations as they are organized and operated in some European countries, not for the purpose of making recommendation with reference thereto but because the President of the United States regarded the subject of sufficient importance to render it expedient for him to invite the Governors of the various states into a conference with him on the 7th ultimo, to consider it. These organizations are co-operative and mutual and are instituted for the purpose of enabling land owners and others engaged in agricultural pursuits to obtain loans upon long time, at low rates of interest and payable in small amounts at stated intervals. The exact form of the organizations varies in details in different countries but all have for their purpose the same object.

In some countries the land credit associations assume the form of land mortgage banks where instead of lending money direct to the borrower the banks turn over to him debentures which he sells or which the bank sells for him in order to obtain the desired funds with which to prosecute his business pursuits.

The personal credit associations based their loans largely upon the character and industry of the borrower rather than upon his ability to furnish security. This being true it necessarily follows that the mem-

bership of the associations must be limited, both as to numbers and territory, in order that the members may have an intimate acquaintance with each other so as to determine who should and who should not be admitted to membership.

The above merely suggests the plan of operation. To go into a detailed discussion of the subject at this time would be impossible. These concerns do not, however, seem so easy of organization and operation as is the ordinary co-operative organization for carrying on other forms of business. Suffice it to say that Hon. Myron T. Herrick, the Government's representative abroad in the study of this question says, in his report: "The organization of land credit, however, is a very complicated task, especially since the idea is new in the United States, and involved in a tangle of conflicting state laws, and antiquated land registration and taxation system and foreclosure procedures. Many changes, amendments, and additions would have to be made in respect to all of these before the way could be made clear for the formation of land mortgage banks."

It is generally conceded that in order for the land mortgage banks to succeed in this country uniform laws with reference thereto should be adopted by the several states, so that as a matter of fact the first step in the process of establishing the land credit system here should be co-operation between the various states in the formation of a uniform law to be enacted by them. This is insisted upon by Mr. Herrick as being necessary before any effort is made to establish these institutions.

I do not desire to make any recommendation as to legislation with reference to this subject as I am not fully convinced that conditions in our state where we have so many banks, where so many farmers are interested in banks, and where farm and personal loans are so readily obtainable give evidence that there is sufficient demand or need for this new form of credit institutions to warrant action at this time. It is a question which needs careful and thorough investigation before being acted upon and it is with that end in view that the subject is called to your attention.

WORKMEN'S COMPENSATION ACT.

The subject of workmen's compensation is so broad and comprehensive that the report of the Commission appointed by me as a result of the action taken by the last session of the General Assembly is entitled to your very careful consideration. The fact that a number of states have enacted Workmen's Compensation Acts and that other states and the Federal Government are considering the advisability of such enactments indicate that there is no need of discussing the advisability of enacting such a law in this state.

The comprehensiveness of the report submitted by the Commission is evidence of a thoughtful appreciation of the magnitude of the work entrusted to it and the fact that I am suggesting modification of some provisions of the proposed law must not be construed as an unfriendly

criticism of the Commission's work nor a minimizing of the results of its labors. The Commission deserves the highest commendation for the faithful and able service it has rendered both in the report made and the bill prepared. However, this being an entirely new subject of legislation I feel sure that you will welcome a full and free discussion of it. To this end I have conferred with Mr. S. H. Wolfe, one of the most able and widely known actuaries of the country, and as a result of our deliberations and conclusions I submit the following:

The bill recommended by the majority of the Commission, as I understand its provisions, makes the application of the Compensation act compulsory upon all employers having more than five employes, and also to all of the employes of the state, counties, municipal corporations, school districts, and cities under special charters or commission form of government without regard to the limitation of five employes, except that either the employer or employe may decline to come under its provisions by filing a notice of rejection with the Iowa Industrial Commission. If an employer declines to come under the law he is deprived of the important defenses of contributory negligence, assumption of risk and fellow servant, in the event that suit be brought against him by an employe. If, however, the employe is the one who has rejected the terms of the act, the employer shall have the right to use any or all of said defenses.

The benefits payable to the injured workmen within the act consist of medical and hospital services during the first four weeks of disablement, and funeral benefits not to exceed in either instance, $100, compensation in the event of death at the rate of 60% of his average weekly wages, with a maximum of $12.00 and a minimum of $5.00, payable to his dependents for 300 weeks, compensation to the employe himself for temporary, partial or total disability, and specific amounts for various enumerated dismemberments.

For the purpose of securing the payment of benefits an unincorporated association, known as the Employers' Indemnity Association, is to be created, membership in which is compulsory upon all of the employers coming within the act. It will be the duty of the Board of Directors within ninety days after Part III of the act becomes effective, to call the first meeting of the members of the Association by mailing to each member at his place of business a notice in writing. The Board of Directors is charged with the important duty of grouping the members in accordance with the nature of the business and the degree of the risk of injury, and with adopting rules and regulations and premium rates subject to the approval of the Iowa Industrial Commission. The Iowa Industrial Commission is to consist of three members to be appointed by the Governor by and with the consent of the Senate from names of persons furnished and recommended by the Supreme Court.

The bill also provides for the creation of a reserve fund and for reinsuring certain amounts of the risks. These are of the salient features of the bill which I wish to discuss in order that we may have a better understanding with reference to them.

It will be noted that the act applies only to employers who have five or more employes, the reason given by the Commission for this limitation being, that where but five persons are employed the hazards are not as great, and farm hands and domestic servants would, in effect, be excluded. It would seem to me that this provision works an injustice on the operatives of many small plants who are deprived of compensation benefits because their employer does not have five employes, although the hazard and exposure may be much greater than in a neighboring plant where a larger number of employes are engaged.

Then again, an employer might have three employes for six months in the year and ten during the busy season. If this limitation as to five employes becomes a law would his employes be covered during the entire year or not? It seems to me to be both unnecessary and unwise to insert this limitation.

Although the bill provides for an enforced membership by each employer in a mutual association created by the State it would appear from section 10, part I, that the injured workman is to hold his employer directly liable for the compensation payments and for this purpose each claimant is given a lien upon all the property of his employer. If we are going to require the employer to join this association and to pay any premium which may be fixed by the Industrial Commission, why should we hazard his commercial credit by the creation of a general lien of this kind? Should not the injured workman look to the association for the payment of his benefits since he elects to come within the provisions of the act? In fact one of the great advantages of this proposed plan over the English and the New Jersey systems is that it substitutes collective responsibility (as typified by the association) for the individual responsibility of the employer. The method suggested by me has been adopted in other states.

While I believe that the act should be made compulsory, and therefore the avoidance of its provisions should be made difficult, I am not in sympathy with that provision which requires an employer or an employe to renew his rejection within thirty days before the termination of one year after it has been originally filed. The enforcement of this provision would work unintentional hardship upon the employes in that it would require them to keep track of the lapse of time for the purpose of knowing whether the employer was still under the law and whether their rights were still preserved. I am of the opinion that this provision will cause great confusion in the administration of this act, and would therefore recommend that a rejection be effective not for one year, but until waived.

The bill provides that compensation shall start on the fifteenth day after injury and that the employer shall be required to furnish surgical, medical and hospital services and supplies for the first four weeks after the injury. It is quite apparent that in order to prevent malingering, it is necessary to provide that no compensation shall be paid during the first two weeks, and it seems entirely proper that during that time the employe should receive medical and surgical attention at the expense of the employer. If, however, from the fifteenth day on the em-

ployer is required to pay a certain percentage of the employe's wages, whether the injury is the result of negligence on the part of the employer or the employe's own fault, it seems to me that a fair consideration for the rights of both parties would require that when the compensation begins the employer's liability to meet the expenses of medical and hospital services and supplies should cease. Otherwise, malingering would be encouraged and other abuses might arise.

The act provides for the payment of 60% of the average weekly wages, both to total dependents in case of death and to the workman himself in case of disability. There is danger that the payment of so large a per cent might furnish an incentive for malingering. It is my understanding that 50% of the average weekly wages is the amount allowed in most other states and has been found to work very satisfactorily.

The bill further provides that the Governor shall appoint a commission from among persons recommended by the Supreme Court after publication of the names recommended in at least six newspapers in as many different cities in the state, he being required to heed any written protest that may be filed against any person so recommended. While the purpose here no doubt is to remove from political influence the selection of members of the Commission, I fear that we may by this provision simply transfer the possible political pressure from the Governor to the members of the Supreme Court, and that we will encourage manifestations of personal prejudices by suggesting the filing of written protests. I do not think that any Governor would be found wanting in the selection of proper appointees, and to provide for the Supreme Court acting as a preliminary appointive body, would introduce an innovation which might have dangerous and unfortunate tendencies. I am therefore of the opinion that the members of the Commission should be appointed by the Governor upon his own initiative as are the members of other commissions. The bill provides a term of ten years for members of the commission which, in my opinion, is entirely too long. I would suggest a limit of four or six years at most.

By Part III the bill creates a monopoly inasmuch as it requires any employer who wants to pay compensation benefits to his injured employes to become a member of an Employers' Indemnity Association. He is not allowed to come within the act and take his insurance with any other concern. The effect of this attempt to limit the form of insurance protection will, I am afraid, defeat the very purpose of the act by encouraging the employers to retain their personal freedom by remaining without the act and securing their liability insurance from other sources.

Then too, the Board of Directors, within ninety days after Part III of the act becomes effective, is required to send a written notice to every employer of labor in the state having five or more employes, and who has not served the statutory notice of his rejection of the provisions of the law. How is this Board to know who are members of the Association? It has been estimated that the number sought to be brought under the law would be at least fifteen thousand. Assuming that the required

notice has been sent and that all have come within the law, where will the Board of Directors obtain a sufficient number of qualified and experienced insurance actuaries, underwriters, managers and clerks to immediately perform the highly technical labor of properly insuring and handling fifteen thousand risks, together with the necessary scientific work of grouping them in accordance with the nature of the business and of the degree of the risk of injury, intelligently inspecting each and every one of the fifteen thousand risks, in order that no injustice may be done any employer as respects his rate of premium, attend to the usual and inevitable correspondence, collect the premiums and pay on an equitable basis the benefits prescribed? I am afraid that the first days of its existence would render the condition of the Association so chaotic that its further continuance would be a practicable impossibility. It seems to me, therefore, that for the sake of the Association, as well as the employers of the state, we should adopt a course similar to that now being followed in Massachusetts, where those who have elected to come within the act, are required to carry insurance either in the Massachusetts Employers Insurance Association, which is similar in its purpose to the Employers' Liability Association proposed by this bill, or in an authorized insurance company. In this way a practical test of the superiority of the two methods will be had, for if the Association can furnish better and cheaper protection than can the other organizations, all of the employers will eventually become members; if, on the other hand, the services of the Association are not as satisfactory as those furnished by other concerns, no employer ought to be compelled to join it.

The manner in which the concluding part of Section 50, Part III, is drawn will yield results not in accordance with usual insurance practices. It is a well recognized fact that the more distributed the risks, the less is the necessity for reinsurance. It would appear to be the intention of this section to require a larger amount of reinsurance as the membership increases. As just stated, this is contrary to the logic of insurance. The method to be followed in reinsurance is likewise vague, and it is difficult to see how it can be carried out by the Association. I am of the opinion that the matter of reinsurance could with perfect safety be left with the Board of Directors.

Section 51 states that the contingent liability of all the members shall be liable for the payment of any claim against the association or its members. I find no other reference in the bill to a contingent liability, and it seems to me that some definite limit should be prescribed for this. To leave the contingent liability unlimited would cause employers untold anxiety, would affect their credit, would be unjust, and would no doubt cause many to reject the terms of the statute.

Section 30 of Part III of the bill provides that in all cases where arbitration is resorted to a member of the Commission shall act as chairman of the arbitration committee. If the Association should assume the proportions contemplated by the act I fear that it would be wholly impossible for the members of the Commission to act in such capacity

without neglecting other duties incumbent upon them. I would suggest that the Commission select the third member of the arbitration committee and that the findings of the committee be subject to review by the Commission.

Section 41 of Part II provides that members of the Commission may be removed by the Governor for becoming financially interested in any enterprise coming under or affected by this act. If that is the only cause for which members may be removed it is too limited. Members should be subject to removal for misconduct, malfeasance or nonfeasance in office, as well as for other justifiable reasons.

HIGHWAY IMPROVEMENT.

The question of improving the highways of the state is one not only of general interest but of practical importance. Three years ago I called a good roads meeting to be held in Des Moines and to be composed of county officials, and representative men of the various counties and of the commercial organizations of the state. The meeting was well attended and much interest was manifest, but there were divergent views and a wide difference of opinion as to the methods to be pursued. However, an organization was formed and annual meetings thereof have been held with increasing interest. Great good has been accomplished and harmony of action has resulted. The recent session of this organization has with practical unanimity recommended and through its committee will present to you several important matters of which I ask your careful consideration, and among which are the following:

To submit to the people of the state at the next general election the question of a bond issue for road improvements.

The levy of a one mill tax for state aid in the improvement of highways.

The establishment of a county engineer in each county by the Board of Supervisors thereof, subject, however, to the approval of the State Highway Commission.

A classification of rural highways.

A compulsory drag law, non-divertible drag fund and simplifying and making effective our present laws on road dragging.

A recodification of the road laws of the state.

Heretofore I have emphasized the importance of properly dragging, grading and draining the roads and making use of materials at hand, because I did not believe that our people were ready for anything more; and also because those things constitute the first principles in the construction of any kind of roads. By the above means we have greatly improved the highways in almost all parts of the state, but I believe we have now arrived at a period when, without in any degree lessening our efforts along the lines of improvement above suggested, we ought to begin the construction of permanent roads of stone, gravel, etc. As

evidence of the fact that there exists a great deal of sentiment with reference thereto I have had presented to me by Mr. F. J. Tishenbanner of Gilmore City, contracts signed by individuals and commercial organizations representing every city and town along the entire length of the road from Des Moines to Spirit Lake, a distance of more than two hundred miles, the signers of which agree to have hauled and deliver on the road free of charge, crushed stone sufficient to construct a stone road along the entire length of the route, if the stone is furnished to them at the various railway stations without cost. If this expression represents the feeling of the people of the state generally, and I have no reason to believe that it does not, something ought to be done to afford opportunity for using this volunteer labor. It has been suggested that bonds be issued to aid in the construction of permanent roads. There certainly could be no harm in submitting the question of a bond issue to the people to let them decide whether they want to issue bonds or not. It has also been suggested that a general tax levy of one mill be made. This would not be burdensome but would yield, on the basis of our present valuation, only about three-quarters of a million dollars. This is only about fifty per cent in excess of the amount that is now raised by the license on automobiles and inasmuch as a great deal of the value of the automobile license is practically lost because of the wide distribution that is made of it I would suggest that instead of a one mill levy you so amend the law as to place the expenditure of the automobile fund in the hands of a central authority.

If we are to undertake the construction of permanent roads it is necessary that we have a permanent and active State Highway Commission and this commission should have charge of the expenditure not only of the automobile license but of any other funds which the state may raise or provide for aid in road improvement. If the automobile license is to be thus used it would be immediately available, whereas the return from a tax levy would not be available until 1914.

In my discussion of the employment of prison labor I have suggested the use of convicts in road building and also in furnishing and preparing stone to be used in highway construction. If you will, therefore, provide for the use of the automobile license or provide some other funds for paying the freight on material with such volunteer labor as has been above suggested in delivering the stone on the roads and with convict labor for use in building them many miles of permanent road may be made at a very low cost. Means should also be provided for the purchase of asphalt or other material to be used as a binder, as it is generally conceded by those best informed in the matters of road construction, that loose stone or gravel will not resist the wear incident to automobile travel.

I trust that you will give the subject of better roads most thoughtful consideration and write into our laws some effective legislation with reference thereto.

PARDONS AND PAROLES.

In the application of the penal statutes of the state no more perplexing question arises than that with regard to the time and the circumstances under which pardoning or parole powers should be exercised. To the individual who has given but a passing thought to the subject, it may seem to be an easy matter to reach a conclusion as to when clemency ought or ought not to be extended, but no such easy conclusion can or should be reached by the public official whose duty it is to pass upon these matters and who must take into account not only the individual upon whose behalf clemency is asked, but all of the circumstances surrounding the commission of the crime, the previous record or conduct of the individual, his family history, the effect that a pardon or parole will have upon the community where the crime was committed and upon the public in general, the effect that it will have upon other convicts and indeed many other matters that often have a bearing upon the situation.

I think sometimes when criticism is directed at the pardoning power of the State or at the Board of Parole that many of the above suggestions are overlooked. I further believe that much of the opposition that exists as to the application of the so-called indeterminate sentence law is due to the fact that it is not understood and that critics have in reality not given careful consideration to the subject of paroles.

To abandon our present system and return to the old method of lodging pardoning and parole powers exclusively with the Governor, would be to return to a system under which it is absolutely impossible for the Governor to learn, in any but the most superficial and unsatisfactory manner, the real merits of most of the cases that he would be required to pass upon. Time alone would render a careful investigation wholly impossible. In addition to the great amount of time that I have given to these matters during the past year, the three members of the Board of Parole have spent an average of nearly two hundred days each and the entire time of the Secretary of the Board, the parole agent, the help of the office of the Board and most of the time of the pardon clerk of the Governor's office have been given to matters of pardon and parole.

Instead of contemplating a return to the old system I want to most urgently recommend that the entire time of the members of the Board be required and that it be equipped in a manner that will enable it to pursue its work in the most effective manner.

In my message of two years ago I said to the session of the 34th General Assembly, "I believe the time is coming when neither courts nor legislatures will concern themselves with the length of time of service of criminals, except as to those guilty of murder. Legislatures will determine the character of crimes for which criminals shall be committed to prison. Courts will determine the question of guilt and boards of parole and pardon will determine how long the convict shall be incarcerated. In other words, the Board of Parole will become a branch of the court. This I believe to be the ultimate and proper sphere of a Board of Parole, when the system reaches a degree of greater development

and perfection." I want now without qualification to say to you, and in this I am strongly supported by the judgment of the Board of Parole, that in my opinion the time is now here when both the maximum and the minimum limitation as to term of sentence should be thrown off as to all crimes except as to murder, forcible rape and treason.

The minimum means little at most, for the Board can entirely disregard it, and in many instances where men have proven themselves to be habitual offenders and where the character of crime is of a serious nature the maximum is too short. The principle involved, alone, would lead me to the conclusions which I have reached. If a Board is to be entrusted with power to say that the maximum time fixed by law is too long for some prisoners to serve, it ought also to be empowered to say that it is too short a term for some other offenders. Then, too, some of the absurdities in our statutes are sufficient justification for suggesting a change. To illustrate: knowingly uttering a forged instrument, no matter of how little value, carries with it a maximum penalty of fifteen years, while embezzlement by a public official even though the amount embezzled be ten thousand times as great, carries a penalty of only ten years and the crime of manslaughter carries a penalty of only eight years. In other words, to pass a forged check, even of the value only of one dollar carries a maximum penalty of fifteen years, while to kill a man and be found guilty of manslaughter carries a penalty of only eight years. These are only suggestive of the many indefensible provisions that appear in our penal statutes.

Let Iowa be genuinely progressive and lead the way in the matter of unlimited sentences by writing into our laws a provision in harmony with what has been said and in my opinion it will not be a decade until such a law will appear in the statutes of a large majority of the states.

The Board of Parole has been much more liberal in the exercise of clemency during the last biennial period than formerly. It has paroled 337 from the penitentiary and the reformatory and has paroled three before commitment, making a total of 340 paroles granted from July 1, 1910, to July 1, 1912, as against 221 during the three years preceding July 1, 1910. The average during the former period was less than seventy-four per year, while during the last two years the average was 170 per year. In addition to the above, the Board recommended to me for pardon, parole or commutation of sentence, fifty-one cases, all of which have been acted upon in harmony with the recommendations. The increase in the number of paroles has operated to increase the number of violations of parole to the extent of something less than five per cent over what it was for the three year period heretofore referred to.

During the two years ending December 31, 1912, I granted six pardons, forty-seven paroles, twenty-six commutations, suspended fifty-five jail sentences, remitted forty-four fines and two forfeitures, restored 232 to citizenship, and revoked six suspensions. Most of the pardons, commutations and restorations were upon recommendation of the Board of Parole.

PRISONS AND PRISON LABOR.

During my incumbency in office, I have given a great deal of study to the subject of prisons, prison management and the employment of prison labor and yet I want to say to you that I approach the subject with hesitancy, fully realizing that I have by no means mastered it and also realizing that superficial information as to so difficult a matter is likely to lead to wrong conclusions.

In studying the subject under consideration, I have consulted the best prison authorities that I have been able to meet, not mere theorists, but practical men who are themselves engaged in the work that I am here considering; have advised and counseled with the Board of Control of our State and have visited many prisons, prison farms and road camps, and I feel warranted in saying that no matter what you may do, you will not be able to remove all of the objections that exist with regard to prison management and the employment of convict labor.

There are many fascinating and attractive changes that I might suggest to you, but I want if possible to outline a course of action that will not only be practical and desirable, but that is within the range of possible accomplishment.

First of all, let me say that I am not and never have been in favor of our present contract system, and yet no such abuse exists with regard to it as has been alleged. I want also to say, that the tasks required of the men employed upon the contracts are by no means as exacting and arduous as those required in some of the states where prisoners work upon state account.

I am in favor of prison farms and yet if we had a farm, no matter of what size, we would still be confronted with difficulties, and would still find unsatisfactory conditions that would have to be met. I am in favor of working prisoners upon the highways, and yet the road camp is not without its objectionable features. What then shall we do to meet the popular demand, as well as the real needs of our prisons?

Most important of all, you should make Anamosa a real reformatory. You should do that because you know it to be right and should not hesitate and falter because you fear that by the installation of the necessary industries you will be confronted with opposition. It is assumed that the labor people are opposed to these suggested changes, but the labor people of the state as a class, are not opposed to the establishment of such industries and trade schools at the reformatory as are necessary to teach and instruct convicts so that they may be able to find employment upon their release from prison. In establishing industries and schools they should not be of such magnitude as to become real competitors with free labor, but you owe it to the young men confined in our penal institutions to furnish them an opportunity to make good when they are released. The fact that we have not now a well equipped reformatory at Anamosa, is because former sessions of your honorable body have lacked courage to provide the necessary equipment.

In connection with this institution, as a part thereof and as a necessary adjunct to a reformatory, I should enlarge the present farm to one of at least one thousand acres. This, according to the best estimate that I have been able to obtain from those in charge of prison farms and from our own wardens, would profitably employ about fifty men in addition to those employed about the buildings in caring for the stock, cooking and taking care of the quarters for the men.

I should likewise equip a gang of twenty-five to fifty men from this institution for work on the highways and would thus employ them during the season of the year when it is proper to do road work.

By these means from one hundred to one hundred and twenty-five men could be employed in the fields and in the road camp for perhaps eight months in the year and be returned to the walls during the winter season to learn the trades and attend school. In my opinion that is the largest number that should be employed in work other than in the trades and industries, if we are to carry out the reformatory ideas already written into our laws with regard to Anamosa.

Ft. Madison should be maintained as a penitentiary where the older and more hardened criminals should be sent not only for reformation, but to atone for the crimes which they have committed. This institution is not well located, but with a new cell house well on the way to completion, and other improvements contemplated, in my opinion it would not be wise to abandon it at this time.

One of the first things with which you will be confronted as to this institution is what to do with the contracts now in force. Before telling you what in my opinion should be done, let me say to you that the very worst thing that could be done would be to abolish these contracts without making necessary provisions for employing the men at other work. As to the contracts themselves, they should either be permitted to continue to the date of their expiration, and then not be renewed, or if sooner abolished, the state should acquire the plant and continue the work at least of the farm tool industry on state account. The prisoners who cannot be trusted without the walls must have employment, and I do not now know of anything better than the industries already established.

I would also enlarge the farm at this prison until it shall comprise from twelve to fifteen hundred acres, thus making it possible to employ about one hundred men, including those necessary to take care of buildings, do the cooking and attend to the chores about the farm. Whatever number of convicts would then be left who could be trusted to work without the walls, I would organize into gangs of from twenty-five to forty for work upon the highways and to furnish them and men engaged upon the farm employment during the season of the year when road work cannot be done and when men cannot work in the fields, I would recommend the establishment of plants for the manufacture of farm machinery and possibly also binding twine. The warden informs me that

he could very profitably employ a gang of men for about one month each winter cutting and putting up ice for commercial purposes, and this I would recommend he be permitted to do.

By enlarging the farms in connection with each of the prisons, we could, in my opinion, obtain every benefit that would be derived from a separate state farm, we would avoid the necessity for the establishment and maintenance of a separate institution with another warden and added officials, we could feed and equip the men from the present state store houses, we would have them, except those in road camps, in close proximity to the present institutions to which they could be easily and quickly returned for insubordination or infraction of the prison rules, and to which they could be assembled for chapel, Sunday school and day school work, which are usually neglected on separate state farms. It must be expected that in adopting a system that makes trusties out of a large number of convicts and gives them more freedom and employment without the walls, there will be a much larger number of escapes. This has been the experience of other states—it will be with us.

In order to encourage discipline and to reduce the tendency to run away, I would recommend that additional good time be allowed the men who work on the roads and on the farms and to the men who work within the walls upon state account, I would allow pay for overtime.

I should also authorize the Board of Control and the wardens to work out some plan by which a part of the earnings of the men could be used to support those dependent upon them.

As to the men employed in road work, they might be furnished to the counties at a stipulated amount per man to do such work as the Board of Supervisors might direct or could be employed by the state in building state highways, but in either event the counties in which the work is done should be required to pay a reasonable price therefor and the prisoners should always be in control of prison officials and superintendents in the employ of the State.

COUNTY CONVICTS.

I would abandon the county jail as a place of confinement for convicts, except as to those whose term of sentence is too short to warrant transporting them to a state jail or work house. For the purpose of punishing and reforming all other convicts, except those committed to the penitentiary or the reformatory, I would establish at least two and better three or four state work houses. In locating these institutions I would keep in mind their accessibility from various parts of the state, but would locate them where there is an abundance of stone suited to the construction of stone roads; would establish stone crushing plants and employ the convicts in quarrying and crushing rock for the construction of highways. Some of the men together with the men from the penitentiary and the reformatory above referred to, although I would not work the county and state convicts together, could be employed eight or nine months each year in building permanent roads. Thus we would

establish a system of highway construction that would soon result in many miles of permanent roads in our state. I would not permit any of the stone crushed at any of the state's plants to be sold for commercial purposes or used for anything except improving the highways, unless it be for erecting state buildings, but would furnish stone free of cost to counties that would pay the freight and use the stone for road building.

I would authorize the railroad commission to permit the railway companies to fix special rates, within the state, for transporting the men engaged in road work and for hauling stone to be used for said purposes, so as to encourage as far as possible the betterment of our highways. I would equip these state work houses with land enough, but not more than would be necessary to raise vegetables, provisions, etc., to feed the prisoners.

The reasons for recommending the establishment of these work houses, it seems to me need only be suggested in order to be appreciated. Idleness breeds crime. The average county cannot furnish employment for its convicts. Many of our jails are wholly unfit to confine people in and some people are wholly unfit to be confined with others, but cannot be segregated in the ordinary county jail. Then too, the moral effect of taking the criminal to a state institution where he is compelled to work out a fine, rather than to idle his time away in a local jail, would do much to prevent repeating of offenses. Nothing would have so potent an influence for good upon the common drunk or the vagrant as to send him to a state institution, give him a good bath and require him to "earn his bread by the sweat of his face" for a few weeks or even months. I would convert the muscle that is now going to waste in idleness and laziness about the ninety-nine jails of the state, into good roads over which law abiding citizens of the state may travel, thereby making the convict earn his own living rather than to tax the law abiding citizen to support the criminal while he passes his time in idleness. Then, too, many crimes are committed for which a jail sentence does not seem to afford sufficient punishment and yet which scarcely seem to merit a commitment to the reformatory or the penitentiary. Persons guilty of such offenses, should be sent to a state work house, where in all probability they would be more readily reformed than in one of the prisons.

WOMEN CONVICTS.

In my opinion the women's prison should be removed from Anamosa, or at least it should be separated from the men's institution and be removed to such a distance as to render communication between the men and the women impossible. which is not true at present. Then too, it should be made a reformatory to which women would be sent who now escape punishment because judges and jurors do not want to commit them to the present institution. As I understand it, we now have a law providing for a woman's reformatory, but no appropriation has been made to enable the board to establish it.

HOW RAISE THE MONEY.

I have herein outlined a system of reform for our penal institutions that would require time and the expenditure of a large amount of money to bring about. The question now arises, where are we to get the funds necessary to make these changes? I would answer that for the building of the state work houses and the establishment and installation of new industries at Anamosa and Ft. Madison, I would make direct appropriations and would provide for the erection of two of these work houses at once. For the purchase of lands, I would provide a millage tax to cover a period of years such as we now have for our educational institutions. I would abolish the 1-10 of a mill levy now provided for the Iowa State Teachers' College at Cedar Falls, which I think is no longer needed for that institution, would transfer it to the purpose above suggested and would add to it at least 1-10th of a mill. I should permit the Board of Control to at once purchase lands in anticipation of this income and pay for them as the money from the millage tax is received.

WARDEN'S SALARY.

Before leaving this subject, I want to suggest better pay for the wardens. The amount of pay which they receive is less than is paid in most states, is wholly inadequate for the responsibilities and duties to be performed, and when a vacancy occurs in the office it is very difficult to get good men to consider accepting the position. I want, also, to again say that the wardens' tables should be furnished just as the tables of the superintendents of other institutions are furnished. It is wholly unjust to require the wardens to furnish their own tables and to meet the expenses incident thereto by reason of public demands, which is true, at least in part, at the present time.

RESOLUTION REGARDING ELECTION OF UNITED STATES SENATORS.

The second session of the Sixty-second Congress passed a resolution proposing an amendment to the Constitution of the United States for the election of United States Senators by direct vote of the people. As you are aware, it is necessary for the amendment to be ratified by three-fourths of all of the states before it becomes effective. You will here find the proposed amendment set out in full and the document itself will be transmitted to you at a later date:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (*two-thirds of each House concurring therein.*)

That in lieu of the first paragraph of Section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the states:

'The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.'

CHAMP CLARK,
Speaker of the House of Representatives.

J. S. SHERMAN,
Vice President of the United States and President of the Senate.

I hereby certify that this joint resolution originated in the House of Representatives.

SOUTH TRIMBLE,
Clerk."

I might here say that some states have questioned the regularity of the passage of the resolution by Congress, alleging that it should have received a vote equal to two-thirds of the full membership of each house, and that it did not receive such a vote, and also alleging that if adopted in its present form, it would interfere with the rights of the states in the regulation of suffrage, registration and elections. I do not desire to comment upon either of these points, but simply call them to your attention to show some of the reasons assigned for opposition to the measure.

I have never opposed the election of United States Senators by direct vote of the people, nor have I been convinced that such method of election would remove all the abuses that have been found to exist or would prove as popular as many seem to think. If, however, the plan is to be tried let it be done in the proper manner, that is, by amending the Constitution of the United States.

ONE TERM IN OFFICE.

There is before the Congress of the United States a measure the purpose of which is to extend the term of the President of the United States to six years and render him ineligible to succeed himself. I am in favor of the adoption of such a measure, and in this connection I wish also to say that in my judgment it would be wise to amend our state constitution so as to provide for a four year term for the Governor and render him ineligible to succeed himself at least without the intervention of one or more terms.

PRIMARY ELECTIONS AND THE SHORT BALLOT.

Again I want to suggest a modification of our primary election law, not with any view to abandoning the primary principle, but for the purpose of simplifying the statute and making it more effective as well as more satisfactory.

I cannot understand the process of reasoning by which men justify themselves in advocating the primary election upon the theory that the people should have the right to name each and every candidate for a public office and at the same time favor the enactment of what is known as the "short ballot" statute. The short ballot contemplates the election of only a few of the more important officers and have them appoint all minor officers and commissions. Let me quote from some of President-elect Wilson's arguments as presented by him in a paper read only a short while ago, as follows:

"We have given the people something so vast and so complicated to do in asking them to select all the officers of government that they cannot do it."

"There must be a preliminary process of selection, of nomination, of preparing the tickets as a whole, unless there is to be hopeless confusion, names put up at haphazard and nobody elected by a clear majority at the end."

"He (the voter) cannot possibly make himself acquainted with the individual claims of the men whose names appear on the long ballots."

"A few conspicuous names upon it, candidates for the greater offices, he may have heard about, a candidate for Congress or the Governorship of his state, but the rest are mere names to him."

"We actually as a matter of fact and of experience, put them (the people) in control only when we make only the chief, the really responsible offices elective, allow those whom we elect to appoint all minor officials, all executive agents."

This is as different from the primary election idea as it was presented to and adopted by us a short time ago as two theories can differ, and yet many of the advocates of the one claim also to favor the other. It clearly shows the instability of the average individual and the growing tendency to take up with anything that suggests a change.

What we should have done at first and what we ought now to do is to make the primary applicable to United States Senators, Governor and possibly Lieutenant Governor and name candidates for the remaining state offices in a convention composed of delegates selected at a primary. There is no need of the short ballot at election time if we will relieve the people of the responsibility of making nominations in the primaries where it is wholly impossible for them to acquaint themselves with the various candidates. The remedy ought to be made as to the primary and not as to the general election. There never has been a primary held in this state but what the freakishness of the system, as now applied,

has been apparent, and as practical men you ought to so amend the law as to make it possible for the people to do and do intelligently what is required of them. Preserve the primary principle but make the statute reasonable and workable so that it can be successfully and intelligently applied.

WOMAN SUFFRAGE.

For many years the subject of extending to the women of the state the right of suffrage has been prominent in the halls of our legislature. Nine or ten states have already adopted laws granting the privilege of voting to women as well as to men. It is one of the reform movements which in my opinion will eventually be adopted by most of the states. I doubt not that sooner or later it will be submitted to the people of our own state in the form of an amendment to the constitution, and I can see no good reason why steps looking to that end should not be taken by you. If it were possible to get anything like a universal expression from the women as to their desires with reference to it, I should say let them express themselves, but since this seems impracticable, I recommend that you take such action as is necessary to bring the matter before the voters of the state for determination.

PREFERENTIAL PRIMARY.

Much has been said about a primary for the selection of delegates to the national conventions of the various political parties and to afford the voters an opportunity to express their preference as to presidential candidates. Such a provision would be in entire harmony with the primary idea of making nominations for office but, in the enactment of a law, it should be kept in mind that national conventions being voluntary associations cannot be controlled by state legislation, and in order to make such a law effective it must be made to conform to the rules of said conventions. So far as I am aware the rules of the conventions of most parties now recognize the congressional district, and not the state as the unit, so that any law to be enacted, if it is to comply with present conditions, should be so drawn as to permit the congressional district to select and instruct its own delegates rather than to attempt to instruct delegates by a vote of the state at large, except as to the delegates at large.

If, however, representation in national conventions is to be based upon the number of votes cast by the party in the various states it is difficult to understand how the congressional district can be continued as the unit unless each district is to be given one delegate and an added number if the vote in the district is sufficient to entitle it to more. This method has been adopted in many instances with reference to county and state conventions.

That the basis of representation should be changed, I think will be generally conceded and I want to assure you that I am in favor of such a change.

In view of the uncertainties as to what condition will confront us at the time of selecting delegates to the next national conventions I would suggest that you adopt some method of selecting delegates that will, if possible, meet any conditions that are likely to exist. This I believe can be done by providing that a primary be held throughout all of the counties of the state, by all parties, upon the same day and between the same hours.

Permit the voters of each party to express their preference for presidential candidates and to elect delegates from the entire state or from the state and the congressional districts by direct primary vote or to elect delegates to state and district conventions for the election of delegates to national conventions. Leave the method to be adopted optional with the party, to be determined by the rules of its national convention. If the party recognizes the state as the unit the preferential vote throughout the state should be regarded as a vote of instructions to the entire delegation, but if the congressional district is taken as the unit the vote of the district should be regarded as instructing the district delegates and the vote throughout the entire state as a vote for instructions to the delegates at large.

In my opinion either of the above methods preserves and recognizes the principle of the primary and affords an easy method by which the people can express a preference for candidates. I know of no rule of any party convention but what would be met by some one of the methods above suggested.

IN CONCLUSION.

Now that the time has come when I shall very shortly retire from office I want to thank you and through you the people of the State for the recognition that has been given me in electing me to two of the very important offices of the State and permitting me to serve therein for a period of ten consecutive years. I have endeavored at all times to render the best service that I could. Many things that I have desired to see accomplished have not been accomplished but most of them are outlined in the message which I have just read to you and I hope that they may be enacted into law during this session. In retiring from the position of Chief Executive of the State I leave with you my very best wishes, not only for a successful session of your honorable body, but for a successful administration for my successor in office.

The President announced that the time had arrived for the canvass of the votes cast for the offices of Governor and Lieutenant Governor at the election held November 5, A. D. 1912, and announced as teller on the part of the Senate, Senator Francis of Dickinson, and as assistant tellers, Senators Jones of Montgomery and Crow of Monona.

Speaker Cunningham announced as teller on the part of the House, Representative Huff of Hardin, and as assistant tellers Representatives Craig of Madison and Scholz of Clayton.

The President further announced that in accordance with the statute, Tellers Senator Francis and Representative Huff would constitute the judges of said canvass.

The Speaker then opened the returns in the presence of the joint convention and the tellers proceeded to canvass the vote for Governor and Lieutenant Governor, of the State of Iowa, at the election held Tuesday, November 5, 1912.

The tellers reported as follows:

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 14, 1913.

MR. PRESIDENT AND GENTLEMEN OF THE JOINT CONVENTION—Your Tellers. appointed by the President of the Senate and Speaker of the House of Representatives, to canvass the vote cast for candidates for Governor and Lieutenant Governor, at the election held November 5, 1912, beg leave to make the following report of the total vote cast for Governor:

	Votes.
George W. Clarke	184,148
Edward G. Dunn	182,449
C. Durant Jones	7,746
I. S. McCrillis	14,986
John L. Stevens	71,877
Total	461,206

And the total vote cast for Lieutenant Governor, at the election held November 5, 1912:

	Votes.
W. L. Harding	181,838
Glenn A. Kenderdine	170,901
H. R. Bradshaw	7,981
Wm. Strauss	14,925
Wm. S. Bemis	72,212
Total	447,857

All of which is most respectfully submitted..

L. E. FRANCIS,
HERBERT A. HUFF,
Tellers.

Report adopted.

President Savage of the joint convention announced that George W. Clarke, having received the highest number of votes cast for Governor, was duly elected to the office of Governor of the State of Iowa for the ensuing term, or until his successor is duly elected

and qualified, and that W. L. Harding was duly elected to the office of Lieutenant Governor for the ensuing term or until his successor is duly elected and qualified.

President Savage 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, IOWA, JANUARY 14, 1913.

This is to certify that upon a canvass in joint convention of the two houses of the Thirty-fifth General Assembly of the State of Iowa of the votes cast at the general election held November 5, 1912, for Governor of the State of Iowa, it appeared that George W. Clarke 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 14th day of January, A. D., 1913.

ARTHUR C. SAVAGE,
President pro tem of the Senate and President of the Joint Convention.

EDWARD H. CUNNINGHAM,
Speaker of the House.

L. E. FRANCIS,
Teller of the Senate.

HERBERT A. HUFF,
Teller of the House.

A. C. GUSTAFSON,
Clerk of the House and Clerk of the Joint Convention.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 14, 1913.

This is to certify that upon a canvass in joint convention of the tw houses of the Thirty-fifth General Assembly of the State of Iowa c the votes cast at the general election held November 5, 1912, for the offic of Lieutenant Governor of the State of Iowa, it appeared that Wm. I Harding received the highest number of all votes cast for any cand date of said election for said office, and was thereupon declared duly electe to said office for the term of two years and until his successor is du elected and qualified.

Signed in the presence of the joint convention this 14th day of January, A. D., 1913.

ARTHUR C. SAVAGE,
President pro tem of the Senate and President of the Joint Convention.

EDWARD H. CUNNINGHAM,
Speaker of the House.

L. E. FRANCIS,
Teller of the Senate.

HERBERT A. HUFF,
Teller of the House.

A. C. GUSTAFSON,
Clerk of the House and Clerk of the Joint Convention.

Senator Francis of Dickinson 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 Savage named as such committee, Senator Francis of Dickinson and Representative Brady of Dallas.

Minutes of the joint session read and approved.

On motion of Larrabee of Fayette the joint convention was dissolved.

The Senate returned to the chamber and resumed its sitting.

Senator Clarkson from the Committee on Examination of Applicants for Committee Clerkships submitted the following report and moved its adoption:

MR. PRESIDENT—We, your committee, appointed to examine the test qualifications of applicants for committee clerks, beg leave to report that we have examined the following named persons and find them qualified for the position referred to:

C. H. Dolittle	Senator Perkins
John J. Loftus	Senator Schrup
Miss Broang	Senator Thomas
Mrs. Fuller	Senator Darrah
Mary Van Patton	Senator Balluff
Edith Williams	No Senator
Nell Donohue	No Senator
Bessie Bollinger	Senator Doran
Leta McConaughy	No Senator
Miss McManus	Senator McManus
James H. Sweeney	No Senator
William A. Patterson	No Senator
Anna Murphy	Not definitely assigned

Miss Webber.....Senator Webber
Marguerite Cherry.....Senator Neal
Ruby D. Welch.....Senator McColl

Respectfully submitted,
JOHN T. CLARKSON,
Chairman.

Adopted.

The following committee clerks appeared before the bar and were duly sworn:

Esther Broang.....Senator Thomas
Mary Van Patten.....Senator Balluff
Mrs. R. F. Fuller.....Senator Darrah
Helen Webber.....Senator Webber
Catherine McManus.....Senator McManus
Ruby D. Welch.....Senator McColl
C. H. Dolittle.....Senator E. C. Perkins
John J. Loftus.....Senator Schrup
Besse Bollinger.....Senator Doran
Marguerite Cherry.....Senator Neal
G. F. Kane.....Lieutenant Governor

Senator Gates moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 15, 1913.

Senate met in regular session at 10 A. M., President Pro Tem Savage presiding.

Prayer was offered by Rev. L. B. Carpenter of Osceola, Iowa.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House adopted the following report, in which the concurrence of the House was asked:

Report of joint committee relative to inauguration.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

Concurrent Resolution relative to adoption of the report of joint committee on inauguration.

Passed on file.

President Savage announced that he had received and receipted for envelopes bearing the endorsement: "Statement of contest of the election of Senator from the 46th Senatorial District, composed of the counties of Cherokee, Ida, and Plymouth, together with notice of contest and return of service, before the Senate of the State of Iowa. George F. Coburn, Contestant, vs. Guy M. Gillette, Incumbent;" and that the same would be retained by him until the proper committee had been appointed.

President Savage announced that he had received and receipted for envelopes bearing the endorsement: "Statement of contest of

election of Senator from the 19th Senatorial District, composed of Pottawattamie county, together with notice of contest and return of service before the Senate of the State of Iowa. Clement F. Kimball, Contestant, vs. Mack E. Goodwin, Incumbent;" and that the same would be retained by him until the proper committee had been appointed.

President Savage announced that he had received and receipted for envelopes bearing the endorsement: "Statement of contest of the election of Senator from the 32d Senatorial District, composed of the county of Woodbury, together with notice of contest and return of service, before the Senate of the State of Iowa. Robert Hunter, Contestant, vs. E. P. Farr, Incumbent;" and that the same would be retained by him until the proper committee had been appointed.

Senator Francis offered the following resolution and moved its adoption:

I move that a committee of five be appointed by the President to consider and determine the contest of Clement F. Kimball against Mack C. Goodwin to a seat in this body from the Nineteenth Senatorial District and that said committee by its chairman be fully authorized and empowered to issue subpoenas and to make such orders as may be deemed necessary to secure the attendance before it of all witnesses, together with any and all documentary or written evidence, including the original ballots cast at the general election in said district, held on the 5th day of November, 1912, and with full authority and power to enforce obedience to such subpoenas and orders.

Adopted.

President Pro Tem Savage appointed as such committee, Senators Francis, Crist, Cowles, Webber and DeWolf.

Senator Mattes offered the following resolution and moved its adoption:

I move that a committee of five be appointed by the President to consider and determine the contest of George F. Coburn against Guy M. Gillette to a seat in this body from the Forty-sixth Senatorial District and that said committee by its chairman be fully authorized and empowered to issue subpoenas and to make such orders as may be deemed necessary to secure the attendance before it of all witnesses, together with any and all documentary or written evidence, including the original ballots cast at the general election in said district, held on the 5th day

of November, 1912, and with full authority and power to enforce obedience to such subpoenas and orders.

Adopted.

President Pro Tem Savage appointed as such committee, Senators Mattes, Hilsinger, Darrah, Wilson of Clinton and Balluff.

Senator Ames offered the following resolution and moved its adoption:

I move that a committee of five be appointed by the President to consider and determine the contest of Robert Hunter against E. P. Farr to a seat in this body from the Thirty-second Senatorial District and that said committee by its chairman be fully authorized and empowered to issue subpoenas and to make such orders as may be deemed necessary to secure the attendance before it of all witnesses, together with any and all documentary or written evidence, including the original ballots cast at the general election in said district, held on the 5th day of November, 1912, and with full authority and power to enforce obedience to such subpoenas and orders.

Adopted.

President Pro Tem Savage appointed as such committee, Senators Ames, Boe, Perkins, Dunnegan and Sheean.

Senator Francis of the Joint Committee appointed to inform the Honorable George W. Clarke and Honorable Wm. L. Harding of their election, submitted the following report:

MR. PRESIDENT AND MR. SPEAKER—As a committee appointed at the joint session to inform Honorable George W. Clarke and Honorable Wm. L. Harding of their election to the offices of Governor and Lieutenant Governor, respectively, we beg leave to report that we have performed the duty assigned to us and that each officer named assured us that he stands ready to assume the duties of his office.

L. E. FRANCIS,
On the part of the Senate.

HENRY BRADY,
On the part of the House.

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 amended and adopted the following Concurrent Resolution, in which the concurrence of the House was asked:

Concurrent Resolution relative to adjournment Thursday afternoon.

A. C. GUSTAFSON,
Chief Clerk.

President Pro Tem Savage announced that the Senate would be at ease.

Senate was called to order by the President at 11:45.

HOUSE MESSAGE CONSIDERED.

Senate Concurrent Resolution relating to adjournment on Thursday P. M., January 16.

Senator Crist moved that the Senate concur in the following House Amendment, "amend by changing date of adjournment from January 15th to January 16th."

Senator Clarkson moved that the resolution be referred to a special committee of three, appointed by the President.

Motion lost.

The House amendment was concurred in.

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

Louis Sharp.....Senator Farr
Cora P. Weaver.....Senator Mattes
Ceil Hayes.....Senator Sheean
B. C. Johnson.....Senator Jones

Senator Mattes moved that the Senate do now adjourn until 10 A. M. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 16, 1913.

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

Prayer was offered by Reverend George R. Chambers of Chariton, Iowa.

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

On request of Senator Larrabee, leave of absence was granted Senator Balkema for the day.

On request of Senator Dunnegan, leave of absence was granted Senator Chase for the day.

The President announced the following communication, which was read:

DES MOINES, IOWA, JANUARY 15, 1913.

The Honorable, The Senate,
State of Iowa,
Des Moines.

I desire to extend to the officers and members of your honorable body, to the members of your families and to your friends, an invitation to attend a reception to be given by the State officers and their wives at the Governor's office, Thursday evening, January sixteenth, nineteen hundred thirteen, at eight o'clock.

Very respectfully,
GEORGE W. CLARKE.

Senator Sullivan moved that the invitation be accepted.

Carried.

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

MR. PRESIDENT—Your Committee on Mileage beg leave to report that they find members of the Senate of the Thirty-fifth General Assembly entitled to mileage as follows:

Members—	Miles	Amount
Lieutenant Governor Harding	452	$22.60
Senator Allen	206	10.30
Senator Ames	214	10.70
Senator Arney	150	7.50
Senator Balkema	480	24.00
Senator Balluff	350	17.50
Senator Boe	310	15.50
Senator Chase	140	7.00
Senator Clarkson	136	6.80
Senator Cowles	336	16.80
Senator Crist	116	5.80
Senator Crow	300	15.00
Senator Darrah	136	6.80
Senator De Wolf	210	10.50
Senator Doran	132	6.60
Senator Dunnegan	334	16.70
Senator Farr	442	22.10
Senator Fellows	706	35.30
Senator Francis	358	17.90
Senator Garrett	300	15.00
Senator Gates	300	15.00
Senator Gillette	360	18.00
Senator Goodwin	468	23.40
Senator Heald	260	13.00
Senator Hilsinger	468	23.40
Senator Jewell	450	22.50
Senator Jones	256	12.80
Senator Larrabee	172	8.60
Senator Legel	320	16.00
Senator Malmberg	70	3.50
Senator Mattes	290	14.50
Senator McColl	54	2.70
Senator McManus	422	21.10
Senator Neal	230	11.50
Senator Nye	220	11.00
Senator Perkins	392	19.60
Senator Quigley	540	27.00
Senator Ream	128	6.40
Senator Robinson	185	9.25
Senator Savage	120	6.00
Senator Shrup	509	25.45

Senator Sheean	314	15.70
Senator Smith	228	11.40
Senator Spaulding	110	5.50
Senator Sullivan	0	00.00
Senator Taylor	274	13.70
Senator Thomas	200	10.00
Senator Webber	188	9.40
Senator White	196	9.80
Senator Wilson of Appanoose	254	12.70
Senator Wilson of Clinton	470	23.50

A. D. NYE,
JOHN F. REAM,
P. M. JEWELL,
Chairman.

On the question, "Shall the report be adopted."

The ayes were:

Allen, Ames, Arney, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gates, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Clinton—40.

Absent or not voting:

Balkema, Chase, DeWolf, Farr, Goodwin, Mattes, Nye, Schrup, Smith, Wilson of Appanoose—10.

So the report of the committee was adopted.

Senator Clarkson from the committee on examination of applicants for committee clerkships submitted the following report and moved its adoption:

We, your committee appointed to examine and test the qualifications of applicants for committee clerks, beg leave to report that we have examined the following named persons and find them qualified for the position referred to:

Mrs. Louise Sharp	Senator Farr
Lillian Leland	No Senator
Noble Watson	No Senator
Cora P. Weaver	Senator Mattes

Ceil Hayes .....Senator Sheean
B. C. Johnson.....Senator Jones

Respectfully submitted,
JOHN T. CLARKSON,
Chairman.

Adopted.

Senator Mattes from the joint committee on extra help for the Thirty-fifth General Assembly submitted the following report and moved its adoption:

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

Your committee, to whom was referred the employment of additional help for the Thirty-fifth General Assembly, beg leave to report that they have had the subject under consideration, and the committee has instructed us to introduce a joint resolution covering their recommendation, which is herewith submitted, with the recommendation that the same do pass.

Respectfully submitted,
JOSEPH MATTES,
THOS. H. SMITH,
S. W. NEAL,
C. B. HUTCHINS,
S. H. BAUMAN,
GERRIT KLAY.

Adopted.

INTRODUCTION OF BILLS.

By Senator Mattes from the joint committee on additional help.

SENATE JOINT RESOLUTION NO. 1.

Joint Resolution Relating to the Selection of Additional Employes of the Thirty-fifth 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 the following named persons, J. H. Hill, T. J. Hubbard, H. C. Corbin, A. J. Scott, John Troutner, Joseph Carmon, J. B. Cameron, G. W.. Trude, R. O. Hughes, J. J. Lane, George D. Thomas, L. L. Couse, H. A. King, J. H. Hensel to be designated as assistants to the Custodian, whose duties shall be designated by him, and whose salary shall be seventy dollars per month.

SEC. 2. The Secretary of State is hereby authorized and directed to appoint Ed. I. Ramsey and J. W. Pace for service as clerks in the document department at a salary of seventy dollars per month.

SEC. 3. The Secretary of State is hereby authorized and directed to appoint L. A. Mitchell and L. Snyders for service in the document room at a salary of seventy dollars per month.

SEC. 4. The Secretary of the Executive Council is hereby authorized and directed to appoint W. E. Jeneson for service in the supply department at a salary of seventy dollars per month.

SEC. 5. The Custodian is hereby authorized and directed to appoint three experienced elevator tenders at a salary of sixty dollars per month.

SEC. 6. J. H. Parmeley is hereby appointed mail carrier.

SEC. 7. The Law Librarian is hereby authorized and directed to appoint Russell E. Ostrus assistant at a salary of seventy dollars per mnoth.

SEC. 8. The Law Librarian is hereby authorized and directed to appoint Miss Elsie Lee stenographer at a salary of sixty dollars per month, and Edwin Berger page at a salary of forty-five dollars per month.

SEC. 9. C. P. Foster and Humphrey Richards are hereby appointed assistant doorkeepers of the Senate.

SEC. 10. The Custodian is hereby authorized and directed to appoint A. C. Henderson, W. C. Pugh, C. G. Smith and Henry Johnson as policemen at a salary of seventy dollars per month.

SEC. 11. B. R. Shipley is hereby appointed assistant bill clerk of the Senate, at a salary of seventy dollars per month.

SEC. 12. The Curator of the Historical Building is hereby authorized and directed to appoint Harry Northup elevator tender at a salary of sixty dollars per month, and to appoint William Jackson, William L. Pointer and John Miller janitors at a salary of sixty dollars per month.

SEC. 13. The Speaker of the House is hereby authorized and directed to appoint Albert Litot page for service as telephone messenger at a salary of forty-five dollars per month.

SEC. 14. The Custodian is hereby authorized and directed to appoint F. A. Hackney and Henry McCraven as assistant janitors in the House cloak and toilet rooms at a salary of sixty dollars per month.

SEC. 15. The Custodian is hereby authorized and directed to appoint Mrs. William Coalson for service as assistant matron at a salary of sixty dollars per month.

SEC. 16. The Secretary of State is hereby authorized and directed to retain as many clerks hereby appointed to serve in the document room as he may deem necessary for a period of time not to exceed two weeks after the adjournment of the Thirty-fifth General Assembly.

The joint resolution was read a first and second time.

Senator Mattes asked unanimous consent to take up for consideration Senate Joint Resolution No. 1.

Consent granted.

THIRD READING OF BILLS.

Senate Joint Resolution No. 1, joint resolution relating to the selection of additional employes of the Thirty-fifth General Assembly, fixing their compensation and defining their duties, was taken up and considered.

Senator Mattes moved that the rule by which no bill shall be read a second and third time the same day be suspended.

Carried.

The joint resolution was read for information.

Senator Mattes moved that the rule be suspended, the joint resolution be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the joint resolution pass?"

The ayes were:

Allen, Ames, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gates, Gillette, Goodwin, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Perkins, Quigley, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Clinton—42.

Absent or not voting:

Arney, Chase, DeWolf, McColl, Nye, Ream, Schrup, Wilson of Appanoose—8.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Concurrent Resolution furnishing members of the Press, Codes and Supplements to the Code.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

Concurrent resolution relative to furnishing newspaper reporters who have seats in reporters' gallery, with codes and supplements to the code.

CONCURRENT RESOLUTION.

Be It Resolved by the House, the Senate Concurring, That the Secretary of State be requested to furnish each representative of the Press of the Thirty-fifth General Assembly, a copy of the Code and Supplement thereto, and subsequent Session Laws and annotations, and House and Senate Journal of the Thirty-fourth General Assembly.

Senator Crow offered the following amendment to House Concurrent Resolution and moved its adoption:

I move to amend the Concurrent Resolution of the House as follows: By substituting therefor the following from and after the word "concurring:"

"That the Secretary of State be requested to furnish the press gallery in the Senate and House each a copy of the Code, Supplement 1907, and subsequent Session Laws and annotations, for the use of the newspaper reporters."

Amendment adopted.

Concurrent resolution as amended was concurred in.

President Pro Tem Savage announced that the Senate would be at ease.

Senate was called to order by the President at 11:50.

Senator Clarkson from the committee on examination of applicants for committee clerkships submitted the following report and moved its adoption:

We, your committee to examine applicants for committee clerks, beg leave to report that we have examined the following named persons and find them qualified for the positions referred to:

Letha Cook.....Senator Wilson of Clinton
Bertha Bay.....Senator Arney
Belle I. Riddle.....Senator Larrabee
Clara Gates.....Senator Gates

Senator Gates moved that the Senate do now adjourn until 2 o'clock P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournmnt at 2 o'clock P. M.

President Pro Tem Savage presiding.

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.

Senate proceeded to the House.

JOINT CONVENTION.

In accordance with law and concurrent resolution, the joint convention was called to order by Senator Savage, President Pro Tempore of the Senate, at 2:30 o'clock, P. M.

On roll call the following members responded:

Allen, Anderson of Greene, Anderson of Montgomery, Ames, Arney, Atkinson, Balkema, Balluff, Barry, Bartle, Bauman, Bernbrock, Bingham, Black, Blackford, Bliss, Boe, Boettger, Bradley, Brady, Brown, Bruce, Burt, Buxton, Cannon, Carson, Chapman, Clarkson, Cole, Cowles, Craig, Crist, Cronbaugh, Crow, Crozier, Cunningham, Daniels, Darrah, Dawson, Dixon, Doran, Downey, Dunlap, Dunnegan, Eggleston, Elliott, Elwood, Enger, Farr, Fellows, Fraley, Francis, Garrett, Gillette, Goodwin, Greene of Grundy, Greene of Clinton, Griffin, Grout, Hadley, Halgrims, Halstead, Hansen, Hazen, Heald, Heaton, Helming, Hilsinger, Huff, Hunt, Huntley, Hutchins, Jacobs, Jacobson, Jamison, Jensen, Jones of Montgomery, Kane, Kelso, Kingland, Klay, Koontz, Larrabee of Webster, Larrabee of Fayette, Legel, Lenocker, LeRoy, Lounsberry, Malmberg, Manning, Mattes, McColl, McCullough, McHose, McManus, McVicker, Meredith, Miller, Milton, Mitchell, Munro, Neal, Newcomb, Odendahl, Perkins, Peterson, Pickford, Power, Quigley, Ream, Ring, Robinson, Rohwer, Rone, Saltzmann, Savage, Scholz, Scott, Shankland, Sheean, Sherman, Sidey, Smith, Spaulding, Steelsmith, Stipe, Stokes, Sullivan, Taylor, Thomas, Thompson, Townsend, Trumbauer, Webb, Webber, White of Benton, Whitney, Wilson of Clinton, Workman—139.

The following members were absent:

Brockway, Chase, Clark, DeWolf, Doze, Erickson, Gates, Griggs, Hamilton, Jewell, Jones of Dickinson, Kulp, Lund, Nye, Schrup, Stutt, Thayer, White of Iowa, Wilson of Appanoose—19.

President Savage declared a quorum of the members present in the joint convention.

The following program as arranged by the committee, was carried out:

Music by T. Fred Henry's orchestra.

Calling to order by President Pro Tem Arthur C. Savage.

Invocation, Rev. Charles S. Medbury, Des Moines.

Selection by Midwestern Male Quartette—Messrs. Louis Gerhardt, Forest Geneva, Otto Jellison, Webb Pelton.

Cornet solo, T. Fred Henry.

Soprano solo, Maybelle Wagner Shank.

Administration of oath of office to Governor George W. Clarke and Lieutenant Governor W. L. Harding, elect, by Acting Chief Justice Scott M. Ladd.

Inaugural address, Governor George W. Clarke.

Music by T. Fred Henry's orchestra.

INAUGURAL ADDRESS OF GOVERNOR GEORGE W. CLARKE.

Members of the Thirty-fifth General Assembly and Fellow-Citizens:

I acknowledge my very great indebtedness to the people of Iowa. The obligation at this moment profoundly impresses me. It is not with any sense of triumph that I enter upon the duties of the office into which I am this day inducted, but with a deep sense of its duties, the wide possibilities of its influence and my inability to approach the ideal of fitness and performance. If I can but be the servant of all, if I can with the help of others contribute something to the common good, if I can assist in making Iowa more distinguished still among the States for the desirableness and wisdom of her laws and the cleanness of her political life, that will be something. Responsibilities sober a man. A consciousness of confidence reposed in one quickens his sense of fidelity. No betrayal can come without disappointing, even wounding the finest sensibilities of life. No man can give the highest measure of service until he has lost himself. "He that loseth his life shall find it." I think this is just as true in politics as in religion. The rugged, rocky, thorny ways of life, if traveled for human betterment, are the paths upon which falls the sunshine of everlasting peace.

I am not unmindful of the circumstances of my election. It is unseemly to boast, but if it were not I should have nothing of which to boast. I want to extend to the gentlemen who contested the election with me my congratulations upon the fact that they were such men as could command the greater preference of so many, many thousands of our fellow-citizens. Nowithstanding this fact, I now venture to invoke the good will and support of all of the people of the State. Perfection of discernment and infallibility of judgment are not the endowments of any man, and, therefore, in dealing with conflicting interests

and opinions I shall inevitably make mistakes. I expect to be held to a high order of accountability and that I do not shun, only let judgments be just and proceed from unselfish view-points. I shall regard myself as the servant of all of the people, without regard to factionalism or political or religious convictions. The Governor's office will be open to every one—the rich man and the poor man, the white man and the black man, the man from the mahogany desk and the man from the depths of the coal mine, the woman in rich apparel and the poor widow thinly and cheaply clad. There shall be no distinction in Iowa citizenship, except that which lies between a decent life, honest purposes, courageous effort and a disregard of all that goes to make a meritorious life. In other words, neither money nor position can confer distinction apart from character.

The thought which seems to underlie practically all present-day political discussion is the thought of the good of all. It is the thought, as it seems to me, that government is not alone for governing, but for the betterment of the conditions of the governed. It was Locke, the English philosopher, who said "government is for the good of mankind," and Herbert Spencer said that is the best definition of government I know of. It is the same thought which in this day exalts human rights above property rights, or, as it is expressed in another way, puts the man above the dollar. It is a part of the age-long fight to bring men to an equality of rights and equality of opportunity—to the point where what a man is to do or be will be determined by his own initiative, his own energy, his faith in himself and his desire to do and be unhampered by what other men are doing or by the way they do it. In still other words, to the point where men shall not take hold of life or the business affairs of the world in such way as to despoil another of his opportunity or take more from him as a reward for their superior foresight and organizing skill than is just and fair. Of course, there is always to be considered the difference in ability. "One star differeth from another star in glory," and ability, energy, masterfulness, genius must have their reward or the world will lose irretrievably. Nobody thinks of supplying brains or a remedy for natural worthlessness or viciousness. But very many think that superiority must not exploit inferiority—that advantage of position must not be used to despoil the man on the outside. As, for instance, there must be no issuance of watered stocks, men must pay fairly and justly on actual investment, that so far as may be human life must have healthful, safe places in which to work at a fair wage and reasonable hours, that in the interest of the future manhood and womanhood of the State childlife must be protected. Or that where property rights, the dollar, and human rights or justice conflict, right and justice must take precedence. That is, government, as it has been defined, must stand for the good of mankind. Not for the good of a few, not for some special interest, not for granting a particular privilege, but denying these, stand for the common good and betterment.

It would be interesting, if time permitted, to enter upon a study of the events that have brought so prominently and forcibly to the front the

political, or rather, the public economic thought referred to. Perhaps I may suggest, briefly, that it seems to me to be the supplanting of Individualism by Collectivism. I say nothing here as to the desirability of such result. Individualism in its extremist phase certainly existed in the United States up to a few decades ago. Politically, the American was nothing if not an Individualist. All of his political training, his surroundings, his life, contributed to that result. He went forth to conquer a continent of unbounded resources, the depository of untold wealth. Its riches—the soil, the forests, the mines—he took them and wasted them as civilization swept across the continent. They enabled him to be sufficient unto himself. He could stand alone. Politics went in much the same way. Political standards often were not lifted very high. While the individual was moving ever further west taking what he could, the railroads were spanning the continent and reaching every part of the country. Great corporations were organizing everywhere and were laying their hands upon the resources and business of the country. Competition, unrestrained and ruinous, was crippling the railroads and depriving the country through which they ran of much of their advantage. Industrial corporations were likewise fighting the competitive battle to the detriment, as I think, both of themselves and the consumer. Then began the combinations, for no other purpose than to eliminate competition, constantly becoming greater and greater and the trust in all its tremendous strength, both in the industrial world and in government, arrived—for business had projected itself into government and laid hold of it with an ever-tightening grasp—for it was property and not human rights that had first place in the public mind at that time. New, improved and wonderful machinery was everywhere making its advent into industrialism. Humanity was astounded at the progress in this respect, within seventy-five years surpassing all the combined centuries of human history before. It was the era of rebates and discriminations between places, business and individuals on the part of the railroads. The public domain was gone, the forests had largely disappeared, the soil had been depleted as "westward the star of empire took its way." Organization was everywhere—organization to meet organization. Where could individualism find a footing as against all this? Of what consequence was the individual workman with the great trust with its thousands of employes and whose owners and managers he did not know, never saw and never could see. The individual employee of the great railway system was as nothing. The individual farmer was absolutely helpless. Finally the whole country stood abashed. We call it an awakening—a restlessness, a dissatisfaction pervading all civilized lands; for in the great countries of Europe machinery was pushing out the hand workers by thousands and combining and trust-making was going on there as here and for the same reasons. It was the departure of Individualism. The doctrine of *laissez faire* lost its place in political economy. Political economists who adhered to that doctrine are no longer regarded as authority. If that doctrine is to be adhered to, then the individual is to be submerged or become the victim of Collectivism. But the truth is that the general government and the State as well must add their strength

to the weakness of the individual or classes of individuals, especially if unorganized, so that they may become equal to the combination with which they must deal. Otherwise, it seems to me, we lose that of which we have boasted so long, "Equality before the law." This lack of power of the individual or the local community to deal on equal terms with the combined power, and this being deemed a fundamental right, has led to the aphorisms' "Human rights above property rights." "The man above the dollar," "Social and industrial justice."

While I believe present conditions have had their genesis and growth in the way stated, I also believe any thoughtful man will say that, on the whole, conditions of human existence in this country are better than were ever seen in any country at any other time in human history. No man would change this for any other day he has ever seen or read of. We need but realize that we have come upon a new period in the unfolding of the years. Human life is under, or is rapidly passing under, new conditions. It may be said "The former things are passed away, behold I make all things new." There are men yet living who have seen all things made new. We are in a transition period. In the long flight of the years the new day has come upon us suddenly while we were eating and drinking and making merry. We are struggling to adjust ourselves to the new conditions. The overwhelming power of the "big" men, "big" in their relations to the wealth and business of the country, has called our attention to the common, the average man, to the common good. The let-alone political philosophy has become obsolete. There must be regulation and control in the interest of the public welfare. We are beginning to feel that the interest of each man is the interest of every other man. That the destiny of our country is inseparably bound up with the relations of our citizenship to each other. All must go up together or we shall all go down together. A broader, deeper and more humanitarian spirit is taking hold of the world. We are beginning to feel that we are our brother's keeper. "Every fellow for himself and the devil take the hindmost" is a spurned sentiment of a day that has gone. The sentiment of the brotherhood of mankind is beginning to pervade the world, hastened, providentially perhaps, by the events I have referred to. We have reached the point, I think, brought about by present day conditions when we realize that there never can be a contented people where there is inequality of rights or opportunity or where the work or occupation of a man or set of men is beset with hazards that they must bear alone that a common good may be enjoyed. A brief study of events and conditions enables us to understand the philosophy of current political or, rather, economic thought. The necessity for strong collective action becomes apparent. I use the word Collectivism in an entirely different sense from Socialism. The proud independence of the individual is gone. His old relation to Industrialism is gone because he faces a new Industrialism, and his relation must be a new one. The law fitting old conditions is inadequate to the new. All these things naturally suggest, for instance,

A WORKMAN'S COMPENSATION ACT,

which I sincerely hope will be passed at this session. The commission authorized by the last general assembly, after a thorough investigation and study of the subject, has reported a bill for consideration at this session. So far as I have been able to discover wherever the subject has had thorough and dispassionate study the same conclusion has been reached by both employer and employee, and that is that the industrial world today presents such entirely different conditions from that of say, seventy-five years ago, that the principles of law then and since for the most part applied in Iowa with reference to industrial accidents are entirely inadequate, inapplicable, unjust and wasteful to both parties. In order that we may enjoy the conveniences, comforts, even luxuries brought to human conditions by the wonderfully rapid development of modern Industrialism there is the annual inevitable sacrifice of human life and the great army of the maimed. And this sacrifice falls upon those least able to bear it from a pecuniary standpoint. The lives of these people are along dangerous, hazardous lines and they are taking the risks for us all, bearing the burdens that a common good may be enjoyed by those who assume no risks. Justice dictates, the commonest feelings of humanity demand and the sentiment of our universal brotherhood cries out, "Bear ye one another's burdens." And so they ought to be laid upon us all as a part of the cost of production. The maimed man and his family now bears it. Often he is poor. He cannot fight his damage suit on its long. long way through the courts. All he can do is to stake a large share of a possible recovery for a lawyer and start on the journey. Whatever the result, it is a great waste both to the plaintiff and defendant, this game of chance, and to the people in the maintenance of courts. And it is all with reference to a matter about which there ought to be no litigation at all. It is simply a business matter that ought to be promptly and as fairly adjusted as the nature of the matter would permit. And that is the result proposed by a workman's compensation act. It must be said that many great manufacturing industries and some public service corporations, recognizing these facts, have evolved plans for avoiding them which often seem just alike to employer and employe. While it is true, I think, that it is almost. if not quite, the settled conviction of the business world and of political economists that there should be an adjustment of industrial accident cases through such an act as proposed, yet it is on all hands admitted to be a problem most difficult indeed of solution—difficult to reach a result just and fair to all concerned. It should not be approached in any spirit of vindictiveness. Prejudice should be dismissed. There should be no striving after advantage on either side. The only question is, what is fair, just and right with reference to this great problem. Our manufacturing industries are growing wonderfully and it must be remembered that they must compete with conditions in other States. If we could have conditions that would invite manufacturing capital it would be of great advantage. But material development must not be at the expense of human rights and justice. Iowa, in line with the most enlightened thought, should make the best solution possible at this time of this question.

The great growth of Collectivism naturally suggests also a

PUBLIC UTILITIES BILL.

The doctrine of *laissez faire* can have application only in the long run at the expense of the public welfare. The state has the power to control all public service corporations, but, it seems to me, that its intervention should only be to supervise and regulate in the interest of the common good. The local municipality should govern and control so far as it can. But there come times when it is not equal to the situation. It is weaker than the corporation. The smaller cities especially often cannot cope with the syndicate. It has not and cannot obtain the experts and legal ability and has no organized power. The State should add her strength to the weakness of the weak and bring about equality. No conditions should ever be allowed to exist that place an individual or group of men at a disadvantage in dealing with a combination of men and money and especially with corporate organization authorized by the State to render a public service. I believe it is the duty of the State to do that which it is impracticable for the local authorities to do and to bring to their aid efficient help in the matter of valuation of plants, reviewing of rates, examination of books, cost of maintenance and such like to the end that the public have good service at fair rates in the matter of public necessities, water, light, heat and transportation. The State ought to exist for the good of its citizenship. I think this legislature can render a great public service by passing a well-considered public utilities bill, and that it ought to do it.

THE GOOD ROADS PROBLEM.

For thirty years the discussion of the good roads problem has been going on in the State. Many of the Governors of the State within that time have called attention to the question and some of them have urged constructive legislation. Some progress has been made both in the way of better laws and in the improvement of the highways, but the most that has been accomplished is an aroused public sentiment in favor of better roads—perhaps in favor of permanent roads. Iowa will have permanent roads whenever she wants them. She will have better rural schools whenever she wants them. She will not have either before. Legislation awaits public sentiment—generally aroused, organized public demand. The next great era in the development of western civilization is going to be called by the historian The Era of Permanent Road Building. We are now at the very threshold of that era. We are face to face with the problem. No State can longer allow herself to be handicapped by mud. The economic waste is enormous. Not in the future can there be such a thing as a really great up-to-date State without good permanent roads. The great cheapening of the cost of transportation to the markets of the country waits on permanent roads. The instant great increase in the value of lands awaits the coming of the permanent road. There can be no complete solution of the country life,

problem in advance of the permanent road. The consolidated rural school will go halting and crippled until the permanent road passes the door. This is an ideal that will be realized in the future. How far distant it is depends upon the people of the State. This General Assembly ought, it seems to me, to take hold of the problem with the end in view to ultimately realize this ideal. Nothing could contribute more to the greatness of the State and the welfare of all of the people. All that is done hereafter in the improvement of our roads ought to be with the view of permanency. Permanent culverts and bridges. Permanent systems of drainage. Permanent establishment of grades—all with the view of eventually receiving the permanent road. With this purpose in view the law should provide for the appointment of a county engineer. He should be thoroughly competent and not necessarily a resident of the county where appointed. There should also be created a permanent highway commission, composed of expert road men and engineers with such powers and duties in the way of the preparation of plans and specifications, estimates of costs, advertising for bids and general supervision and control as may, after careful consideration, be deemed wise. I can see no reason why provision should not be made for a referendum to the people of the question as to whether bonds of the state should be issued for the purpose of raising money for permanent road building. It would not incur a great expense to determine whether or not the people are ready to enter upon this work which would add more than anything else to the greatness of the State, and it would at least be of great value in causing universal discussion of the subject which must always precede any movement involving the change of long established methods and of thought. In the meantime our road laws, which now exist in a disconnected and patchwork form, should be revised, re-written and strengthened for the purpose of securing the best possible temporary roads and for devising methods of administration looking to the coming of the permanent road. Selfish interests clinging to old methods and advantages, may be found in covert opposition. Permit me to suggest that you look carefully to this, as I know you will, to the end that private interests may not prevail as against the common good.

COUNTY MANAGEMENT.

One cannot discuss the road question without the whole question of county management being suggested. It, however, is not intended to do more than make a suggestion. I have not had opportunity to work out any definite plan, although I feel there is much room for improvement. The administration of the affairs of the county ought to be organized with just as much skill and with just as much purpose to secure the highest efficiency as a great business corporation organizes its business. The county and the State as well are entitled to have their business conducted along the lines of up-to-date methods and such as have been demonstrated in the business world as absolutely essential to success. Perhaps it is not an exaggeration to say that thousand of dollars might annually be saved to every county in the State and much more efficiency

in its affairs secured if the money and property were that of a corporation managed by its skilled and expert agents. No man having regard to his success in the management of a large enterprise would be content to give it widely separated scraps of his time, nor would he engage at the same time in other business taxing his energies and abilities to the utmost. An individual or a corporation having so much invested and such varied interests would manage them through a skilled expert giving his entire time. It is not always the fault of the Boards of Supervisors that better results are not obtained, because they have their private business and are paid to give only meager attention to the public business. Any other business conducted in the same way would be an utter failure. It seems to me that it would be well to consider the question of creating the office of business manager of the affairs of the county. After the analogy of the corporation the stockholders—the people—should elect the board of directors—the supervisors—and they should appoint a county business manager who for an adequate salary should devote his whole time to the affairs of the county under the general supervision of the directorate who should be held to the highest responsibility for his competency as a business man and an expert in connection with all matters of county business. He might be clothed with some of the powers now conferred upon the board and the township trustees. He should be the supervisor of and the purchasing agent of all supplies for the county. He should understand the use of concrete and the building of bridges. He should act in an advisory capacity in all drainage district matters so far as the county may be concerned and he might at the same time be the county engineer referred to in the good roads discussion. He should be consulted in all matters of contract requiring expert knowledge. Wherever the interests of the county go his duties should take him. Such a man would save to the county many thousands of dollars annually. No man now studies the county business to master it. No man could master it in less than all of his time. The county business manager or whatever name you might give him, would have the opportunity and every incentive to attain the mastery. Until some such methods are introduced it can hardly be otherwise than that the business of the counties will be done in an uneconomic and unsatisfactory way. The methods of fifty years ago will no longer do.

TRAFFICKING IN OFFICES.

Within the last twelve years the State has made commendable progress in eliminating money and other corrupting influences from our elections. We are insisting all the time that our democracy should become more and more democratic. There is much talk about the opportunity and right of every voter to express his choice among candidates for nomination and election. This choice ought to be the free, unbiased, unpurchased, honest choice of the elector or democracy is making no progress. There are more ways of purchasing votes than with money and some of these are more corrupting. Nothing can be more degrading to public life, nothing can be more demoralizing to the public conscience, nothing can be more

destructive of public virtue than the conception that public offices or positions are something to be traded and trafficed in—used as a political asset to enable one to gain political preferment. The people have the right to demand that a candidacy proceed upon merit whether it be much or little. They have the right to insist that they be not tricked out of a high order of competent, disinterested public service by deals or that if they must accept a low order of incompetent service that they themselves be responsible for it after a fair fight in an open field. It is far more reprehensible to secure influence and preferment by promise of place than by the promise of money. When one uses money he uses that which belongs to him, but when he is trafficing in offices he is bartering with that which does not belong to him but to the people as their agencies in government and depriving them of their right, untrammeled, to select their own agents or to have them appointed for merit and not in redemption of promises to farm out the public service to whomsoever would enter into a deal or conspiracy for place. It is a part of the political creed of the country to insist upon publicity as the panacea for our troubles with "big business" and yet we go into a political contest sometimes with a number of "gentlemen's agreements" hidden away somewhere in the dark. There are compelling reasons for publicity in both cases, but no more in the one than the other. These practices are corrupt and ought to be forbidden. The law ought to make it a crime for any candidate for any county or state office prior to his nomination or election to promise, either directly or indirectly to support or use his influence in behalf of another for any position, place or office, or to promise either directly or indirectly to name or appoint another to any place, position or office, in consideration of such other supporting him or in any way using his influence to secure his nomination, election or appointment. The law requiring the report of campaign expenses ought to be amended by adding to it, in substance: And I further state that I did not at any time, either before my nomination or after, either directly or indirectly, in consideration of support, promise to support, or use my influence for, or to appoint any person to any place, position or office whatsoever. Such a statute would be as easily enforced as any other of our corrupt practices acts. The mere fact that such practices are condemned by the law would be of great value and this General Assembly ought to enact such a provision as an expression of its high political ideals.

THE SHORT BALLOT.

The results of our primary elections, and general elections as well, show that not many more than half of the voters of the state participate in the primary at all and that in both elections the numbers voting decrease as they pass down the ticket from the more to the less important offices. At the primary elections it has not been unusual to have a difference between the total vote for governor and for lieutenant governor and secretary of state, ranging from ten to nearly twenty-five thousand with the difference growing wider with the offices further down. The

same result is seen in general elections. When the comparison is made with the vote for presidential electors the discrepancies are much greater. This would seem to indicate that the public interest centers around the contest for the most important offices, that the candidates for these come to be known, that these offices are representative offices and stand for or may inaugurate certain definite policies in which the people are interested. The other candidates do not become so well known, they are not seen to so great an extent in the campaign. Their offices are administrative. No public policy is involved in the administration of them. There are so many of them, State and county, that amidst the pressing duties of life it is not possible for many voters to inform themselves as to the merits of the candidates and hence thousands do not vote at all and many more thousands simply vote at a guess and let it go at that. Hence the argument for the short ballot and more appointive offices as conducive to better and much more efficient government. Students of good government are everywhere advocating the principles of the short ballot. To such an extent have they gone as to tersely express the principle in this way: "When you want representation, elect. When you want administration, appoint." Progressive thought for, by far the greater part, advocates this principle. The appointing power being made responsible for results, responsibility is located and concentrated. By electing, responsibility is dissipated, incapable of definite location. By appointment administration by experts and a high order of efficient public service may be secured. I invite your careful consideration of this subject to the end that this reform may take deeper root in this State. We already recognize the principle in that the Board of Control, Board of Education, Board of Parole, Dairy and Food Commissioner, Commissioner of Labor, Commerce Counsel and others are appointive positions. Would anybody think of making them elective or the football of politics? Does not the same or a greater reason obtain for making the office of Railroad Commissioner appointive? Is there any reason why the Supreme Court should not appoint its own clerk and reporter? Should not the Superintendent of Public Instruction be appointed? The list might be extended further as the principal grows and becomes well understood.

SCHOOLS.

When one comes to the consideration of the question of rural schools he finds he is face to face with a problem almost impossible of solution. And yet that affords no reason why we should not grapple with it. We read everywhere of the decline of the rural school and we constantly hear it deplored in public speech. From the district school of forty years ago with its attendance of forty pupils ranging in age from five to twenty-one years, the rural school has declined to the school of ten children and very frequently to less. Formerly there was the enthusiasm of numbers at least. The young men and women were there. They are no longer there. It is said that ninety-five per cent of the boys and girls never reach the high school. They never will under present conditions. This must be said especially of the country boy and girl. There are no high

schools in the country and the necessities of farm life almost preclude the farm boy from the town high school. He cannot start in with the opening of the schools in the towns the first of September and if he could he could not continue after the first of March. The scarcity of farm labor and the absolute necessity of the farms in gathering crops and in preparing for them and planting and cultivating absolutely forbid. Thus deprived of several months of school at both the opening and close of the school year he cannot keep up with the classes, becomes discouraged, if he has commenced at all, and quits. If he cannot come to the high school in town then the high school must go to the country. This suggests almost necessarily the consolidation of the country schools. I see no escape from this as the ultimate result. It seems to me also that it is a "consummation most devoutly to be wished," But it cannot be brought about in a day. Such reforms require a long period of agitation and the patient efforts of men and women of large vision and devoted to the common good. The consolidated school with its work in all the grades it seems to me could be maintained at a less expense than the nine schools of the townships as now organized. In place of the little cheerless school houses, poorly equipped, no modern conveniences, have one three-to-five-room building centrally located, with an up-to-date system of heating, lighting, ventilating and water supply. Here there could be some inspiration for both teacher and pupil. Here would be the stimulus, excitement and interest that come from numbers. Here would come relief from the monotony and loneliness of the teacher with her half dozen little children by the daily association with other teachers. Here could daily come the refining influence of music and song. Here would come the daily supervision, management and inspection by the principal of the school. The grounds should include three or four acres for reasons that your mind will readily suggest. The school building could easily become the social and intellectual center of the community. Here could be public gatherings, lectures and entertainments of all kinds. No one would be far from it in this day of the automobile and in the era of good roads upon which we fervently hope we are entering. Away from the diversions of the town it would be an ideal place to lay the foundations of sturdy character, intellectual and physical strength and useful citizenship in the young men and women of Iowa. In this direction the concensus of opinion of the competent men and women who have given the subject earnest and sympathetic study, lies the solution to a considerable degree of both the country school and rural life problem. This cannot be brought about by compulsion. I fully realize that. I wish, however, that a plan could be devised by which any township could voluntarily consolidate her schools and that such plan could be enacted into law at this session. If the township as a unit, be thought to be too large, then a smaller territory might be taken as a basis, but it seems to me the township is not too large. Of course regard should be had for the course of rivers and streams through townships.

The course of study in the rural school should be related to the life of the country. It should be in terms of the things right next to the boy and girl. Everything should have interesting practical relation to what

the boy and girl see done every day in the life about them and to what they see, hear and do themselves. Not abstractions but concrete applications and illustrations constantly. The training should have intimate relation to what men and women have to do in the world—this as well as cultural. There should be vocational instruction. The township school might have small side buildings for this purpose. The school should be an interesting place. To illustrate: Geography should relate to the country round about, grammar to what the boys and girls are saying, arithmetic to loads of corn, cords of wood, acres of land, tons of hay, bushels of potatoes and loans of money. I should not follow the readers; I should have Joel Chandler Harris' Uncle Remus stories, Earnest Thompson Seton's animal stories, Cooper's The Deerslayer, The Spy, The Pioneer, The Pathfinder. Roosevelt's Winning of the West, Prescott's Conquest of Mexico and of Peru and Biography in profusion as I approached the upper grades. For such schools once planted over this State good, competent teachers could be found but the rural school as it is now never will be any better. Young men and young women simply will not give themselves to teaching under present conditions for more than a few terms as a temporary makeshift. There is little use in training teachers unless we have conditions under which trained men and women will teach. It is my conclusion that the consolidation of rural schools to some extent at least with a course of study applicable to and interesting to the child and boy and girl mind and absolutely inseparable from the life we live is the only hope and must lie at the very foundation of any improvement in our rural schools. I earnestly hope, therefore, that this session will not close without the law being so written as to make such results voluntarily possible. I know that sixteen sections of land may now consolidate, but the law can be greatly improved.

May I not suggest, also, that the best thought of the day seems to have reached the conclusion that provision ought to be made for District Agricultural and Manual Training Schools, including Domestic Science. The distance from the public school to the agricultural college is a long one but if the school referred to were found on the way for a period of training it would be of inestimable value. I invite your serious consideration of this question.

OFFICE OF SCHOOL TREASURER ABOLISHED.

I am advised that we now pay school treasurers $175,000 annually. This is a needless waste of the people's money. The office ought to be abolished and provision made authorizing the county treasurer to pay all warrants drawn on school funds.

PUBLIC HEALTH.

The preservation of the public health is a matter of the greatest importance. Thirty-two years have passed since the law was enacted creating a State Board of Health. There has been little legislation since and none that makes it possible for the board to be a really efficient instru-

ment for the public good. In the beginning $5,000.00 was appropriated annually and it has never been increased, but of this the secretary's salary, $2,400.00, all the contingent expenses of his office, the expenses of the board and all costs of printing are paid. It is manifest that there can be nothing of consequence left to enable the board to meet the demands made upon it by a great State. There have been epidemics of typhoid fever and other scourges in the state but the board when called upon could do nothing in the way of making investigations because it had no funds. I am advised that in one district there are thirteen towns now known to have impure water supply. In view of the progress made by medical science in the last ten years in the ability to detect the cause of disease, in view of the advance that has been made in sanitary engineering with reference to water supply and sewage and garbage disposal and to the end that prompt action may be taken to prevent the spread of communicable diseases and that there may be prevention of the pollution of water supplies and to the end that better sanitary conditions generally may be brought about especially in our towns, I suggest that there ought to be, after careful consideration and consultation with experts in sanitary science, a re-writing of the law relating to the whole subject and an appropriation made commensurate with the importance of it. While talking about the conservation of our soil, forests, mines and water power, we ought not to forget the necessity of conserving the lives and health of the people.

HOG CHOLERA.

Every few recurring years the state is ravaged by hog cholera. Millions of dollars have been lost by this scourge. It is estimated that fifteen millions of dollars have been lost to the farmers of the state during the last year. The hog industry is one of the greatest sources of wealth the state has. It is now claimed that this is a preventable disease. It is of great public interest that the loss of such vast sums be prevented. It is doubtless beyond the power of the individual to protect himself. The matter therefore, becomes one of public concern. I therefore urge upon you to investigate the subject thoroughly and enact such provisions and make such an appropriation as in your judgment will afford relief.

PENITENTIARY REFORM.

The question of a reform in the management of our penal institutions is one which for some time has commanded the attention of our people. Personally, I am ready to say that the contract labor system ought to be abolished. It is a system of slavery. It is an exploitation of men on the part of the State for the benefit of a contractor. It is taking hope out of the lives of men and returning them to society embittered against it. It neither cares for the health, improves the morals nor has any tendency to reform the men, but results quite otherwise. It is an economic absurdity. It is a fine

thing, however, for the manufacturer to have the State furnish him a plant fully equipped with machinery, heat, light, power, clothe and feed the men, and turn them over to him for twenty-five to sixty-four cents per day. When, in addition, is taken into consideration the great cost to the State in the administration of the criminal law, the maintenance of the penal institutions, the hardships and suffering of the families of the imprisoned men the absurdity becomes more glaring. These men ought to work and so should the men committed to our jails for misdemeanors. A plan ought to be devised whereby they could be put to work. Men are saved through work and there absolutely is no other means of salvation for them. Besides, every man owes to society all that he can do whether he is in or out of prison. He ought to have the same wage in prison that he could earn if out at the same work. He ought to pay back to the state out of his wage the expense of his conviction. Then his family, if he has one, should receive a good portion, he receiving the balance. He ought to be rewarded according to his effort. Hope ought to be kept alive in him. He ought not be taught to hate the State. There ought to be classification and segregation of criminals. As many as possible ought to have outdoor work. I favor the penal farm and think this legislature ought to take steps toward the establishing of one. The experience of many States is to my mind conclusive in favor of it. Many of them are conducted at a fine profit to the State as is shown by the very admirable and exhaustive report of the committee not long ago appointed by Governor Carroll to investigate, among other things, the general management of the penitentiary at Ft. Madison. I presume it will be placed on your desks. I make it a part of what I have to say upon this subject and commend it to your thorough study. It seems to me its conclusions are sound and the evidence upon which they are based overwhelming. I commend also to your equal consideration the report and discussion of the subject by Judge Robinson of the Board of Control.

PRESIDENTIAL PREFERENCE PRIMARY.

If the people are competent, and they are, to select their candidates for Governor to be voted for at the general election they certainly are equally competent to express their preference as to presidential candidates and I think they ought to have the opportunity to do so. The people, through the representatives of each of the political parties of the State, assembled in convention, have declared in favor of a presidential preference primary law. There is, therefore, so far as this question is concerned, but one thing to do and that is to enact such a law. Platform pledges should not be simply high-sounding phrases for the purposes of a popular campaign and then to be ignored afterward. I am sure after careful consideration and debate a wise conclusion will be reached as to what form this law in obedience to the demand of the people shall take.

What I have just said with reference to platform declarations applies with equal force to the question looking ultimately to

WOMAN SUFFRAGE.

in this State. The last political conventions all declared, two directly, one indirectly, perhaps, in favor of referring to the people the question of so amending the constitution as to confer upon women the equal right with men to vote. The referendum ought to be made. If these conventions have voiced the sentiment of the people there should be no trifling with it. There may be some question as to whether women in general desire the ballot, but in view of these platform declarations that is not the question before this General Assembly. If platform makers have been insincere, (I do not believe at all they have been) but if they have let them be taught the great virtue of sincerity. Go to the voters on the question. Let them speak at the next general election.

REFORM OF COURT PROCEDURE.

The question of reform in the matter of both the civil and criminal procedure of our courts has become a matter of the greatest importance. It is engaging the attention of the best legal minds of the country. The procedure, as it is witnessed every day in our courts, as the trial drags along its weary way before a helpless judge is such as almost to create a feeling of disgust. As to civil procedure it suggests what a relief a conciliatory court, such as they have in Germany, would be. What a saving of time and money. On notice the parties might appear before a judge, or voluntarily submit to his jurisdiction, who without reference to technical procedure or technical rules of evidence, or even lawyers, might in an hour or two or a half day at most elicit the facts, tell the parties what the law applicable to the facts is, what they ought and what they ought not to have done and what the judgment is and, if no settlement accordingly, enter up the judgment. Little expense, little time, no burden to the people. In this way could be done in a few hours what would take the machinery of our courts as the law is now administered, several days to do. Such a court might be established with a proper jurisdiction it seems to me to the great relief of our present courts and I am sure in other ways.

As to the examination of jurors for the trial of a cause: Every lawyer has seen days of time taken, has heard of months being consumed. And yet I doubt if a lawyer of experience could be found who would not say that in nine cases out of ten the jurors finally selected were no better than those first called into the box. The absurdity of examining minutely into the life of a man from childhood must be apparent. It should not be permitted. The court should be given control and as but few questions are pertinent and necessary but few should be allowed. Indeed I incline to the opinion that perhaps it would not be unwise to place the whole matter of examining jurors as to their qualifications in the hands of the court.

The law ought to provide that all exceptions to instructions should be taken before they are read and no others considered or allowed.

I believe the law ought to provide for majority verdicts in civil cases.

It seems to me the time for taking appeals ought to be greatly shortened. I see no reason why the law should make the procedure of a cause through the courts interminable.

On appeal prejudice should not be presumed on slight error. The rule should be that there should be no reversal unless the court could say the jury was probably mislead by the error of the trial court. Perfection in the statement of the law, clear, precise technical nicety of statement is sometimes difficult and doubtless never disturbs the mind of the juror. He views the case as a whole, observes the instructions in their general drift and renders his verdict. Close, critical study of instructions seldom, if ever, I presume, takes place. The law should provide that no judgment shall be set aside or reversed or new trial granted on account of error of the court or error in any matter of pleading or procedure unless it shall appear that the error complained of has injuriously affected the substantial rights of the parties.

I have for many years thought that there is no longer any justifiable reason for the existence of the grand jury. It should be abolished.

The law forbidding counsel to comment on the fact that the defendant in a criminal case declines to become a witness in his own behalf and give such explanation as he can of the facts produced tending to establish his guilt should be repealed. It is entirely just to him to suppose that if he could explain he would do so.

TAXATION.

In view of the thorough investigation and exhaustive report made by the commission provided for by the last General Assembly with reference to the subject of taxation which will be before the legislature for careful consideration little need be said. That there is need for a thorough revision and re-writing of our laws on the subject I think is conceded by every one who has given the matter consideration. With what the commission has recommended I am in thorough accord and sincerely hope that this session will not adjourn without accomplishing much along this line of much needed legislation. The deficiency, indeed the practical failure, of our laws on this subject has been the occasion of recommendations by Governors and discussions by state treasurers for very many years. It is time to act. Our system has broken down. There is no such thing as uniformity. There are glaring inequalities everywhere. Equality of sacrifice is the very first demand of a just system of taxation. But there is no equality between individuals, or taxing districts. No equality between counties in payment of State taxes. A farm of equal value to another in the same county will be assessed at two or

three times the value of the other. Horses and cattle, after years of improvement, often are not assessed as much per head as were the "scrubs" of forty years ago and in some counties will be assessed at twice as much as in others. It follows that some are bearing double the burden of taxes borne by others on the same actual values. Property should be assessed at its fair actual value. It is not possible to reach the ideal but so far as possible there should be equality in the bearing of public burdens. That is not even approached in our State. Our method is a failure which might be demonstrated in many other ways. It is not that the burden of taxation shall be increased but that as nearly as is practicable there shall be equality of sacrifice. If property were assessed at actual value and methods were adopted for finding and assessing hundreds of thousands of dollars that now escape, the rate of taxation could be greatly diminished. Our rate of taxation because of our methods is very high. Capital may have been frightened away from our State on this account. Here is matter to be kept in mind in considering the matter of taxation. We must build up our State. It should be an inviting field for capital under just conditions. Conditions in Iowa should not be such as to place our industries and our capitalists at a disadvantage when compared with conditions in other States with which they must compete. If I could say anything that would add to the weight and influence of the report of the commission I would do so. I sincerely commend it for its thoroughness. I commend it for the new methods it proposes for the administration of our tax laws. I commend it because its conclusions have been proved to be wise and workable by the actual experience of other States.

"BLUE SKY LAW."

I said in the beginning that government is for the good of mankind. It would be for the good of thousands of our people if their savings were protected from the fake promoters, the confidence men, who sell to confiding people stocks in airy, worthless, far-distant schemes that have no semblance of real value. Every man knows from his own observation that hundreds of thousands of dollars are lost to the people annually in this way. I have seen estimates placing it at $10,000,000. Kansas was wise ahead of her sister States in providing in substance that when stocks and bonds are offered for sale the banking department must be satisfied that they are a reasonably good investment and a permit secured before they can be offered to the people. I commend this wise law as a basis for similar legislation here.

THE CAPITOL GROUNDS.

The subject of the extension of the capitol grounds is a matter that should have consideration. The day is now here when these grounds surrounding us should be more spacious and they should be made more beautiful. They do not meet the material demands of the present

and for the future they will be entirely inadequate. The future should ever be in mind. We build for those who are to come after us. We should have a vision of what Iowa is to do and be. In the extension of the grounds regard should be had for a better setting of the capitol. The whole question of the enlargement and location of buildings and monuments should at once be placed in the hands of the best landscape artist that could be found with instructions to prepare a plan commensurate with the needs and ideals of a great, progressive and cultured people. It cannot all be done at once but a beginning can be made. Every day of postponement only makes the realization more expensive and difficult. What is done should be in accordance with a plan to end in both utility and great artistic beauty.

AGRICULTURE AND DAIRY INTERESTS.

It is the land that must sustain all other interests. Iowa is unsurpassed in the fertility of her soil and there lies one of her greatest future possibilities. All that has been done in the past is but a beginning. Anything intended to promote our agricultural interests should command serious attention. Public lands are gone. The population of the country is increasing more than a million annually. The soil must meet the demands of the oncoming millions. Earnest, sincere patriotic men are trying to devise ways and means. If legislation will assist—lend a hand. Here I want to say that I have been requested to call attention to the weed law, I gladly do so. It should be strengthened.

The encouragement given to our dairy interests heretofore by the legislature has wonderfully stimulated that industry. No other single industry has made such rapid progress. Its product in the last few years has doubled over and over to the enrichment of the people in money and productivity of soil. If further legislation is needed to protect it, spare it not. The benefit is to all the people.

MANUFACTURING.

Our manufacturing industries are growing rapidly. Already I am advised by the Secretary of the Manufacturers' Association we have $225,000,000 invested in 6,000 factories, employing 72,000 wage earners and using 220 million dollars worth of material annually with an annual output worth $335,000,000. Located in the heart of the American continent between two of the greatest rivers in the world, with a soil not excelled by any other of equal extent on the globe, surrounded by the teeming millions of the not distant years, Iowa as an agricultural and manufacturing State, great also in her citizenship, appears in the vision of the future in inspiring and indescribable splendor. Down yonder at Keokuk where her civilization first began to take root is nearing completion one of the greatest triumphs of engineering which human history has yet recorded. The great Father of Waters which for unmeasured ages has wasted his vast energy as he swept on to the sea has been harnessed and his power captured

for the lighting and heating of cities, for giving power to manufacturing plants, for the whirling of unnumbered spindles, the grinding of the grains of the Great Valley and the rapid transportation of the people. Manufacturing in Iowa will receive a great impetus there.

The 35th General Assembly has before it the opportunity to make for itself a most distinguished place in Iowa history. I doubt if ever before a more inspiring program ever presented itself in this State. The subjects for consideration nearly all go to the matter of the betterment of human conditions. They touch the life of the people. They suggest the passing of the old day and the bright dawning of the new. They suggest the loosening of the grasp of human selfishness and the extension of the hand of sympathy and brotherhood. I think the State should concern itself about the betterment of human beings, about the protection of human welfare. I feel that the State ought to be humane. The state ought to be a great moral force in the world. "Righteousness exalteth a nation." The State must be a positive good. It must have a conscience. Our prosperity must be built upon the happiness, education and welfare of each man. Business and human betterment can increase together if these problems are rightly taken hold of. What an impetus can be given to the State this winter. Why not move Iowa to the head of the column? It can be done if every man will lose himself in his devotion to the common good. He that would be great must be the servant of all. "He that humbleth himself shall be exalted"—exalted in the strength and consciousness of right things done. It is up to the men of this legislature. The people have trusted you. They have believed in you. It is demanded of a servant that he be faithful. The people want these things done. Will the 35th General Assembly rise to its great opportunities? So far as the Executive can properly do so I want to lend a hand. And so dismissing factionalism, forgetting party, remembering only the common good, let us enter upon the work before us.

The minutes of the joint session were read and approved.

Senator Clarkson of Monroe moved that the joint convention be dissolved.

Motion prevailed.

The Senate returned to Senate Chamber and resumed its sitting.

Senator Cowles moved that a committee of three be appointed to escort Lieutenant-Governor William L. Harding to the chair.

Carried.

President Savage appointed as such committee: Senators Cowles, Ames and Crist.

The committee escorted Lieutenant-Governor Harding to the chair and President Savage said:

"Lieutenant Governor Harding, it gives me great pleasure to welcome you to this chair in the Senate.

"Members of the Senate, it gives me pleasure to introduce to you Lieutenant Governor Harding as presiding officer of this body."

President Harding, upon assuming the chair, responded as follows:

MR. PRESIDENT AND SENATORS—It is with a feeling of my own weakness and inability that I come here and assume the duties of this office. I ask your indulgence. I realize, as you all do, that the gentleman who filled this place during the past two sessions had previous training for the position. He is, also, naturally endowed with a mind that is fair and impartial. Lieutenant Governor Clarke gave the State of Iowa one of the best administrations that it is possible to have in this place; and when I attempt to fill the place, knowing my shortcomings, I ask the senators to bear with me.

It is not my purpose at this time to make extended remarks. I have prepared no speech for this occasion; it is my purpose to assist as best I can the Senate and the Legislature of Iowa in passing during this session such laws as I believe the people of Iowa demand of the Legislature.

We have this afternoon listened to a very able, learned and eloquent address by the newly elected governor of this state. He has pointed out to you some of the things that you ought to do. It is not my purpose to enlarge upon them; but I desire to say that I am in hearty accord with the message that the governor delivered this afternoon.

I want, in my humble way, to be of assistance in carrying out this programme. I ask the senators to be as kindly toward me as they can for a few days until I am accustomed to the harness. My edsire is to do everything I can to assist in making your work pleasant and agreeable, and at the same time, to push the work along. I am your servant and the servant of the people of Iowa.

My first task, as I understand it, is to make the committee assignments. Some of you realize that this task is a hard one, especially for one who has not had the privilege of serving as a member of the Senate. I crave your indulgence. Not all senators were able to secure the position that they would like to have. My purpose was to place each senator where I thought he would be able to do the most good for the whole people of Iowa. I know I have failed in many cases in this purpose.

The secretaries will read the list.

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

WAYS AND MEANS.

Allen, Chairman.
Savage.
Francis.
Chase.
Neal.
Mattes.
Cowles.
Hilsinger.
Heald.
Jewell.
Spaulding.
Boe.
Doran.
Arney.
Wilson of Clinton.
McManus.
Clarkson.
Webber.
White.
Balluff.
Crow.
Farr.

JUDICIARY.

Francis, Chairman.
Sullivan.
Cowles.
Smith.
Chase.
Malmberg.
Allen.
Heald.
Crist.
Perkins.
Hilsinger.
Larrabee.
Wilson of Appanoose.
DeWolf.
Clarkson.
Quigley.
Webber.
Farr.
Gillette.
Sheean.

APPROPRIATIONS.

Mattes, Chairman.
Savage.
Larrabee.
McColl.
Jewell.
Neal.
Ames.
Spaulding.
Jones.
Darrah.
Robinson.
Doran.
Fellows.
Taylor.
Wilson of Clinton.
DeWolf.
Webber.
Crow.
Schrup.
Legel.

PUBLIC SCHOOLS.

Savage, Chairman.
Neal.
Allen.
Smith.
Chase.
Malmberg.
Boe.
Jones.
Darrah.
Arney.
Heald.
Fellows.
Thomas.
Wilson of Clinton.
Sheean.
Crow.
McManus.
Legel.
Dunnegan.

RAILROADS.

Larrabee, Chairman.
Francis.
Smith.
Malmberg.
Balkema.
Gates.
Spaulding.
McColl.
Ames.
Chase.
Perkins.
Hilsinger.
Arney.
Boe.
Taylor.
Robinson.
Doran.
Wilson of Clinton.
Balluff.
DeWolf.
Garrett.
Dunnegan.
Goodwin.
Gillette.
Crow.

AGRICULTURE.

Ames, Chairman.
Allen.
Doran.
Malmberg.
Darrah.
Perkins.
Wilson of Appanoose.
Fellows.
Balkema.
Savage.
Nye.
Arney.
Wilson of Clinton.
White.
Garrett.
Dunnegan.
Legel.
Farr.

CITIES AND TOWNS.

Sullivan, Chairman.
Cowles.
Heald.
Crist.
Wilson of Appanoose.
Chase.
Fellows.
Arney.
Robinson.
Jones.
Darrah.
Balluff.
Wilson of Clinton.
McManus.
Webber.
Garrett.
Dunnegan.
Farr.
Goodwin.
Gillette.

BANKS.

McColl, Chairman.
Mattes.
Jones.
Savage.
Cowles.
Robinson.
Arney.
Crist.
McManus.
DeWolf.
Webber.
Schrup.
Balluff.
Quigley.
White.
Sheean.

HIGHWAYS.

Balkema, Chairman.
Ames.
Perkins.
McColl.
Spaulding.
Sullivan.
Robinson.
Thomas.
Darrah.
Jones.
Crist.
Doran.
Wilson of Clinton.
Clarkson.
Garrett.
Quigley.
Farr.

INSURANCE.

Cowles, Chairman.
Malmberg.
Heald.
Smith.
Sullivan.
Robinson.
Crist.
Hilsinger.
Boe.
Schrup.
DeWolf.
Webber.
Quigley.
White.

TELEGRAPH AND TELEPHONE.

Smith, Chairman.
Mattes.
Savage.
Gates.
McColl.
Balluff.
Wilson of Clinton.
Dunnegan.

CORPORATIONS.

Chase, Chairman.
Jones.
Jewell.
Sullivan.
Larrabee.
White.
Legel.
Schrup.

MANUFACTURES.

Spaulding, Chairman.
Arney.
Cowles.
Sullivan.
Larrabee.
Schrup.
Farr.
Webber.
Balluff.
Goodwin.
McManus.
Garrett.

CONSTITUTIONAL AMENDMENTS.

Malmberg, Chairman.
Savage.
Jewell.
Neal.
Cowles.
Francis.
Hilsinger.
Quigley.
DeWolf.
Legel.
Sheean.
Farr.

PUBLIC HEALTH.

Jewell, Chairman.	Allen.
Smith.	DeWolf.
Doran.	Legel.
Malmberg.	Schrup.
Arney.	Sheean.

MILITARY.

Neal, Chairman.	Taylor.
Quigley.	Thomas.
Allen.	Nye.
Gillette.	Ream.

SUPPRESSION OF INTEMPERANCE.

Gates, Chairman.	Boe.
Mattes.	Balluff.
Crist.	Crow.
Balkema.	Dunnegan.
Heald.	White.
Doran.	Garrett.

PENITENTIARIES AND PARDONS.

Jones, Chairman.	Taylor.
Heald.	Sheean.
Wilson of Appanoose.	Ream.
Thomas.	Gillette.
Nye.	McManus.

ELECTIONS.

Darrah, Chairman.	Thomas.
Smith.	Ream.
Francis.	Clarkson.
Nye.	McManus.
Spaulding.	Goodwin.
Crist.	

LABOR.

Doran, Chairman.	Smith.
Perkins.	McManus.
Larrabee.	DeWolf.
Sullivan.	Ream.
Thomas.	Farr.

EDUCATIONAL INSTITUTIONS.

Arney, Chairman.
Boe.
Jones.
Francis.
Balkema.
Darrah.
Jewell.
Mattes.
Malmberg.
McColl.
Ames.
Larrabee.
Clarkson.
Goodwin.
Schrup.

PUBLIC UTILITIES.

Crist, Chairman.
Mattes.
Francis.
Cowles.
Savage.
Perkins.
Ames.
Sullivan.
DeWolf.
Webber.
Balluff.
Wilson of Clinton.
Legel.

BOARD OF CONTROL AND ITS INSTITUTIONS.

Hilsinger, Chairman.
Perkins.
Heald.
Mattes.
Francis.
Nye.
Wilson of Appanoose.
Sheean.
Farr.
DeWolf.
Goodwin.
Legel.

PUBLIC LIBRARIES.

Boe, Chairman.
Thomas.
Taylor.
Wilson of Appanoose.
Robinson.
Dunnegan.
Goodwin.
Sheean.

PRINTING.

Heald, Chairman.
Allen.
Thomas.
Wilson of Appanoose.
Neal.
Garrett.
Ream.
Crow.
Balluff.

COMMERCE AND TRADE.

Fellows, Chairman.
Doran.
Balkema.
Gates.
Crow.
Quigley.
Schrup.

CONGRESSIONAL AND JUDICIAL DISTRICTS.

Robinson, Chairman.
Allen.
Savage.
Heald.
Cowles.
Quigley.
Farr.
Gillette.

COMPENSATION OF PUBLIC OFFICERS.

Thomas, Chairman.
Mattes.
Fellows.
Gates.
Quigley.
Gillette.
White.

PUBLIC LANDS.

Wilson of Appanoose, Chairman.
Perkins.
Fellows.
Chase.
Nye.
Webber.
Legel.

CLAIMS.

Nye, Chairman.
Cowles.
Jewell.
Clarkson.
Garrett.

FOOD AND DAIRY.

DeWolf, Chairman.
Balkema.
Hilsinger.
Thomas.
Taylor.
McColl.
Perkins.
Gates.
Ames.
Arney.
Fellows.
Chase.
Crow.
Quigley.
Ream.
Clarkson.

MINES AND MINING.

Clarkson, Chairman.
Malmberg.
Sullivan.
Doran.
McColl
Taylor.
Gates.
Chase.
Ream.
McManus.

PHARMACY.

Legel, Chairman.
Crist.
Sullivan.
Chase.
Heald.
Doran.
Wilson of Appanoose.
Webber.
Clarkson.

FISH AND GAME.

Quigley, Chairman.
Hilsinger.
Ames.
McColl.
Francis.
Darrah.
Nye.
Wilson of Clinton.
Clarkson.

PUBLIC BUILDINGS.

Wilson of Clinton, Chairman.
Allen.
Spaulding.
Darrah.
Taylor.
McManus.
White.

SENATORIAL AND REPRESENTATIVE DISTRICTS.

Balluff, Chairman.
Smith.
Mattes.
Crist.
Gates.
Boe.
Ream.
White.

CHARITABLE INSTITUTIONS.

Crow, Chairman.
Nye.
Taylor.
Fellows.
Garrett.
Ream.
Gillette.

FEDERAL RELATIONS.

Garrett, Chairman.
Larrabee.
Jones.
Jewell.
Balkema.
Ream.
Schrup.

HORTICULTURE AND FORESTRY.

Farr, Chairman.
Ames.
Arney.
Goodwin.
Gillette.

RULES.

Perkins, Chairman.
Mattes.
Allen.
DeWolf.

ENROLLED BILLS.

Taylor, Chairman.
Larrabee.
Legel.

ENGROSSED BILLS.

Gillette, Chairman.
Balkema.
Nye.

INTRODUCTION OF BILLS.

By Senator Thomas, Senate File No. 1, a bill for an act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Read first and second time and referred to committeec on banks.

By Senator Thomas, Senate File No. 2, a bill for an act to provide for the representation of the state of Iowa at the Panama-Pacific International Exposition to be held at San Francisco, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.

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

By Senator Clarkson, Senate File No. 3, a bill for an act to provide, secure and pay compensation for employes who sustain personal injury while in line of duty.

Read first and second time and referred to commiftee on judiciary.

By Senator Clarkson, Senate File No. 4, a bill for an act to amend section twenty-eight hundred thirteen (2813), supplement to the code, 1907, relating to certifying estimates and levying taxes therefor in school districts for the payment of principal and interest of bonded indebtedness.

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

By Senator Clarkson, Senate File No. 5, a bill for an act to amend section ten hundred eighty-seven-a-ten (1087-a-10) of the supplement to the code of 1907, and to amend section eleven hundred six (1106) of the code of Iowa, relative to the expression of the choice of the people for United States Senator.

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

By Senator Clarkson, Senate File No. 6, a bill for an act to amend section one (1), chapter one hundred six (106), Acts of the Thirty-four General Assembly, relating to to the appointment of mine inspector.

Read first and second time and referred to committee on mines and mining.

By Senator Doran, Senate File No. 7, a bill for an act providing for the production and distribution of vaccines, toxine and biological products necessary for the diagnosis, prevention or cure of animal diseases within the state, and repealing chapter one hundred fifty-one (151), act of the Thirty-third General Assembly, and chapter one hundred fourteen (114), act of the Thirty-fourth General Assembly.

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

By Senator Francis, Senate File No. 8, a bill for an act amending the law as it appears in section ten hundred eighty-seven a-ten (1087 a-10), ten hundred eighty-seven a-twenty-two (1087 a-22), and ten hundred eighty-seven a-twenty-seven (1087 a-27), of the 1907 Supplement to the Code as amended by chapter sixty-nine (69) of the acts of he Thirty-third General Assembly, relating to the nomination of Senators and Representatives in the general assembly of the state of Iowa, and the nomination of party candidates for the office of Senator in the congress of the United States, and providing for a vote at the regular election upon such party candidates for Senator.

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

By Senator Heald, Senate File No. 9, a bill for an act to repeal paragraphs sixteen (16) of section five hundred eleven (511) of the supplement to the code, 1907, as amended by chapter thirty-six (36) of the acts of the thirty-third general assembly relating to the boarding and lodging of prisoners.

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

By Senator Ream, Senate Joint Resolution No. 2, a joint resolution ratifying the proposed amendment to the constitution of the United States relating to the election of senators.

Read first and second time and referred to committee on constituional amendments.

SENATE JOINT RESOLUTION NO. 2.

A Joint Resolution Ratifying the Proposed Amendment to the Constitution of the United States Relating to the Election of Senators.

WHEREAS: Both houses of the Sixty-second (62nd) Congress of the United States of America, at its second session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to-wit:

"A Joint Resolution proposing an amendment to the Constitution of the United States."

"*Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled* (two-thirds of each house concurring therein), That, in lieu of the first paragraph of section three of article one of the Constitution of the United States and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the states."

"The Senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies; Provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be construed as to affect the election or term of any senator chosen before it becomes valid as a part of the Constitution."

Therefore be it resolved by the Senate and the House of Representatives of the State of Iowa, That the said proposed amendment to the Constitution of the United States of America be, and he same is hereby, ratified by the General Assembly of the State of Iowa. And

Be it further resolved, That a certified copy of this joint resolution be forwarded by the governor of this state to the secretary of state at Washington and to the presiding officer of each house of the National Congress.

The President announced the following appointments as messengers of the Senate:

Gordon Brown, Lieutenant Governor's messenger.

Senate messengers—Raymond Donahue, Linn Essex, Littleton Gambell, Ronald Wood, Aaron Caplin, Archie Crandall.

Senator Clarkson submitted the following report and moved its adoption:

We, your committee appointed to examine and test the qualifications of applicants for committee clerks, beg leave to report that we have examined and tested the following named persons and find them qualified for the positions referred to:

L. H. Bean.....Senator Quigley
Marie Flood .....No Senator
Emma V. Anderson.....Senator Boe
Nora E. McCormick.....Senator Allen

Respectfully submitted,

JOHN T. CLARKSON,
Chairman.

Adopted.

The following named committee clerks and messengers appeared before the bar of the Senate and were duly sworn:

L. H. Bean.....Senator Quigley
Emma V. Anderson.....Senator Boe
Nora E. McCormick.....Senator Allen
Belle I. Riddle.....Senator Larrabee
Gordon Brown.....Lieutenant Governor's Messenger

Messengers of the Senate—Raymond Donahue, Linn Essex, Littleton Gambell, Ronald Wood, Aaron Caplin, Archie Crandall.

The President announced the following communications, which were read:

DES MOINES, IOWA, JANUARY 16, 1913.

To the President of the Senate:

We transmit herewith for the use of the Senate, a copy of the report required of us by section 2 of chapter 197 of the acts of the Thirty-fourth General Assembly.

BOARD OF CONTROL OF STATE INSTITUTIONS,
BY G. L. ROBINSON,
Chairman.

TO THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

We submit herewith a report, as required by Section 2 of Chapter 197 of the Acts of the Thirty-fourth General Assembly, showing the amounts transferred from the sums appropriated by that act and the amount of unexpended balances in the state treasury December 31, 1912, to the credit of the various institutions under our control.

REPORT.

IOWA SOLDIERS' HOME, MARSHALLTOWN, IOWA.

Balances December 31, 1912—		
Support		$ 39.04
Contingent and Repair		118.46
Total balances		$ 157.50

No transfer of funds.

SOLDIERS' ORPHANS' HOME, DAVENPORT, IOWA.

Balances December 31, 1912—		
Support		$ 548.85
Dental work		400.00
Hospital, connections and equipment		10,000.00
Total balances		$ 10,948.85

No transfer of funds.

SCHOOL FOR THE DEAF, COUNCIL BLUFFS, IOWA.

Balances December 31, 1912—		
Support		$ 157.43
Books, periodicals and binding		13.14
Contingent and repair		82.16
Improving water supplies		612.76
Total balances		$ 865.49
Transfer of funds as follows:		
From Equipment for Industrial Equipment Fund—		
For electrical material—connection with ensilage cutter		170.42
From Improving Water Supplies Fund—		
For cement platform in hog lot	$ 36.00	
For laundry machinery	527.00	
		563.00
Total funds diverted		$ 733.42

INSTITUTION FOR FEEBLE-MINDED CHILDREN, GLENWOOD, IOWA.

Balances December 31, 1912—	
Support	$ 2,700.36

Beginning cottage for girls		3,645.50
Contingent and repair		181.06
Fire escapes		22.00
Furniture and furnishings		504.03
Laundry building and equipment		476.93
Paints and painting		32.07
Plumbing		783.51
Porches for Administration building		1,916.00
Total balances		$ 10,261.46

Transfer of funds as follows:

From Laundry Building and Equipment Fund—		
For labor rebuilding industrial building	$ 981.59	
Total funds diverted		$ 981.59

STATE SANITORIUM FOR THE TREATMENT OF TUBERCULOSIS, OAKDALE, IOWA.

Balances December 31, 1912.

Support		$ 836.33
Books and periodicals		280.22
Bathing and toilet facilities (additional for pavilions)		260.00
Contingent and repair		101.08
Improvement of sewage disposal plant		613.04
Kitchen equipment		146.00
Laboratory apparatus		190.00
Lectures and amusements		80.36
Total balances		$ 2,507.03

Transfer of funds as follows:

From Improvement of Sewage Disposal Plant—		
For connecting barn with sewer	$ 124.34	
For platform for well house	75.00	
For bath and toilet pavilions	75.00	
		274.34
From Laundry and Hose Cart Building Fund—		
For cement tunnel	$ 1,082.68	
For cow barn	300.00	
		1,382.68
From Reservoir—Additional Fund—		
For cement tunnel	$ 25.00	
For cow barn	300.00	
		325.00
From Cow Barn and Silos Fund—		
For cement tunnel	$ 96.00	
		96.00
Total funds diverted		$ 2,078.02

INDUSTRIAL SCHOOL FOR BOYS, ELDORA, IOWA.

Balances December 31, 1912—		
Support		$ 1,686.99
Musical instruments and supplies		198.73
Beds and bedding		916.29
Books and periodicals		44.71
Chaplain		99.00
Contingent and repair		1,225.27
Cow barn		627.87
Dental work		49.50
Extension of water system		30.92
Fencing		300.00
Furniture and furnishings		487.44
Heating, plumbing and equipping hospital		558.30
Kitchen equipment		417.31
Lectures and amusements		135.98
Live stock		730.00
Painting		681.53
Railway switch		5,100.19
Root cellar		141.26
Traveling expenses		83.19
Wagons and other vehicles		229.47
Total balances		$ 13,743.95
Transfer of funds as follows:		
From Heating Hospital Fund—		
For steam pump		160.00
From Railway Switch Fund—		
For concrete coal house		1,216.64
From Cow Barn Fund—		
For track hangers, implement shed		20.00
Total funds diverted		$ 1,396.64

INDUSTRIAL SCHOOL FOR GIRLS, MITCHELLVILLE, IOWA.

Balances December 31, 1912—		
Support		$ 186.43
Chaplain		56.90
Fencing		299.98
Painting		943.85
Tiling land		40.72
Total balances		$ 1,527.88
Transfer of funds as follows:		
From Cistern Fund—		
For chimney at Larrabee cottage	$ 35.00	
For horses	32.24	
		67.24

From Concrete Walks Fund—		
For horses	168.00	168.00
From Silo and Cutter Fund—		
For horses	145.36	145.36
From Enlarging Cold Storage Fund—		
For horses	28.68	
For work on Larrabee cottage	53.72	
		82.40
Total funds diverted		$ 463.00

MOUNT PLEASANT STATE HOSPITAL, MOUNT PLEASANT, IOWA.

Balances December 31, 1912—		
Support		$ 3,035.93
Contingent and repair		349.53
Greenhouse		167.23
Total balances		$ 3,236.77
Transfer of funds as follows:		
From Ventilation of Men's Infirmary—		
For cement and sand	$ 429.02	
For repairs on spouting	16.00	
Total funds diverted		445.02

INDEPENDENCE STATE HOSPITAL, INDEPENDENCE, IOWA.

Balances December 31, 1912—		
Support		$ 48,995.36
Contingent and repair		349.53
Draining land		748.30
Farm implements and machinery		343.14
Fencing		512.69
Homes for attendants		39,477.80
Ventilation of Farmers' Lodge and Grove Hall		726.96
Wells (two) for drinking and equipment		22.84
Total balances		$ 91,176.62
Transfer of funds at follows:		
From Tunnels to Farmers' Lodge and Grove Hall—		
For greenhouse		206.04
From Ventilation of Farmers' Lodge and Grove Hall—		
For extension on coal house		759.30
Total funds diverted		$ 965.34

CLARINDA STATE HOSPITAL, CLARINDA, IOWA.

Balances December 31, 1912—	
Support	$ 15,720.92
Contingent and repair	568.35
Electric re-wiring	3,054.90
Fire escapes	500.00
Painting	94.58
Total balances	$ 19,938.75

No transfer of funds.

CHEROKEE STATE HOSPITAL, CHEROKEE, IOWA.

Balances December 31, 1912—	
Support	$ 7,313.09
Addition to mangle room and dry closets for same	389.49
Contingent and repair	800.48
Floors	$ 250.00
Pavilion for tubercular patients	50,000.00
Total balances	$ 58,753.06
Transfer of Funds as Follows:	
From Farm Implements and Machinery Fund—	
For screens on porches, psychopathic hospital.	3.90
From Hot Water Heater Fund—	
For repairs for deep well pump and tubes for boilers	391.02
From Silos and Cutter Fund—	
For repairing cisterns, fences, boiler tubes, etc.	239.55
Total funds diverted	$ 634.47

STATE HOSPITAL FOR INEBRIATES, KNOXVILLE, IOWA.

Balances December 31, 1912.	
Support	$ 11,208.61
Contingent and repair	268.19
Total balances	$ 11,476.80
Transfer of Funds as Follows:	
From Water Reservoir—	
For coal house	165.91
Total funds diverted	$ 165.91

STATE PENITENTIARY, FORT MADISON.

Balances December 31, 1912.

Support		$ 15.82
Cell house, cell bank and connections		6,462.37
Fencing		392.33
Live stock		389.20
Re-roofing shops		2,192.18
Sanitary toilets		639.42
Warden's support		125.00
Warden's house		72.97
Total balances		$ 10,289.29

Transfer of Funds as Follows:

From Sanitary Toilets Fund—		
For material for silo	$ 316.81	
For ensilage cutter, etc.	177.04	
Total funds diverted		493.85

THE REFORMATORY, ANAMOSA, IOWA.

Balances December 31, 1912.

Support		$ 226.37
Addition to school room		497.61
Derrick supplies		250.55
Increasing industries		1,249.60
Industrial equipment		16.45
Machinery and supplies for printing offce		192.94
Musical instruments from library fund		58.35
Piano from library fund		41.00
Salaries of foreman and instructors		3,689.00
Warden's support		125.00
Transportation discharged inmates		293.24
Total balances		$ 6,640.11

Transfer of Funds as Follows:

From Piano Fund—		
For typewriter	$ 81.00	
Total funds diverted		81.00

RECAPITULATION OF BALANCES.

	Support	Special	Total
Soldiers' home	$ 39.04	$ 118.46	$ 157.50
Soldiers' orphans' home	548.85	10,400.00	10,948.85
School for the deaf	157.43	708.06	865.49

Institution for feeble-minded children	2,700.36	7,561.10	10,261.46
State sanatorium for the treatment of tuberculosis	836.33	1,670.70	2,507.03
Industrial school for boys	1,686.99	12.056.96	13,742.95
Industrial school for girls	186.43	1,341.45	1,527.88
Mount Pleasant state hospital	3,035.93	200.84	3,236.77
Independenec state hospital	48,995.36	42.181.26	91,176.62
Clarinda state hospital	15,720.92	4,217.83	19,938.75
Cherokee state hospital	7,313.09	51,439.97	58.753.06
State hospital for inebriates	11,208.61	268.19	11,476.80
State penitentiary	15.82	10,273.47	10,289.29
The reformatory	226.37	6,413.74	6,640.11
Total	$ 92,671.53	$148,852.03	$241,523.56

RECAPITULATION OF FUNDS TRANSFERRED.

School for the deaf	$ 733.42
Institution for feeble-minded children	981.59
State sanatorium for the treatment of tuberculosis	2,078.02
Industrial school for boys	1,396.64
Industrial school for girls	463.00
Mount Pleasant state hospital	445.02
Independence state hospital	965.34
Cherokee state hospital	634.47
State hospital for inebriates	165.91
State penitentiary	493.85
The reformatory	81.00
Total	$ 8,438.26

Respectfully submitted,

BOARD OF CONTROL OF STATE INSTITUTIONS,

By G. S. Robinson, Chairman.

DES MOINES, IOWA, JANUARY 14, 1913.

Hon. W. L. Harding,

Lieutenant Governor of Iowa,

Des Moines, Iowa.

MY DEAR SIR—I hand you herewith the reports of the State University, the College of Agriculture and the State Teachers College, as required by chapter 104 of the acts of the Thirtieth General Assembly.

Yours very truly,

D. A. EMERY,

Secretary.

THE STATE UNIVERSITY OF IOWA
IOWA CITY

SPECIAL REPORT OF THE SECRETARY OF THE UNIVERSITY TO THE THIRTY-FIFTH GENERAL ASSEMBLY.

1910-1911.

JANUARY 1, 1912.

OFFICE OF THE SECRETARY OF THE UNIVERSITY.

January 1, 1912.

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

I submit herewith my special report for the year commenced July 1, 1910, and ended June 30, 1911, in accordance with the provisions of Chapter 104, Acts of the Thirtieth General Assembly.

Very respectfully,

W. J. McCHESNEY,
Secretary of the University.

IOWA STATE BOARD OF EDUCATION.

James H. Trewin, President.....Cedar Rapids
D. A. Emery, Secretary.....Des Moines

MEMBERS OF THE BOARD.

Terms expire July 1, 1913.

Parker K. Holbrook.....Onawa
Charles R. Brenton.....Dallas Center
D. D. Murphy.....Elkader

Terms expire July 1, 1915.

James H. Trewin.....Cedar Rapids
Roger Leavitt.....Cedar Falls
Edwin P. Schoentgen.....Council Bluffs

Terms expire July 1, 1917.

A. B. Funk.....Spirit Lake
George T. Baker.....Davenport
Thomas D. Foster.....Ottumwa

FINANCE COMMITTEE.

William R. Boyd, President.....Cedar Rapids
Thomas Lambert.....Sabula
Daniel A. Emery, Secretary.....Des Moines

OFFICERS OF THE UNIVERSITY.

John G. Bowman.....President
W. J. McChesney.....Secretary

THE STATE UNIVERSITY OF IOWA.

IOWA CITY.

Statement of receipts and disbursements for the year commenced July 1, 1910, and ended June 30, 1911.

RECEIPTS.

Funds for the erection of buildings, etc.....	$180,463.42	
Income fund	381,937.92	
Special funds	43,880.32	
Total receipts		$606,281.66

The A. Whitney Carr Free Scholarship Interest Fund, the F. O. Lowden Oratory Prize Fund, the W. J. Bryan Prize Interest Fund, the Mark Ranney Memorial Interest Fund, the Waite Lowry Gifford Memorial Interest Fund, are not shown in the 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.

DISBURSEMENTS.

Funds for the erection of buildings, etc.—		
Building Tax Fund.....		$132,634.22
Repair and Contingent Fund.....$	16,007.97	
Equipment and Supplies Fund.....	6,066.49	
Equipment Fund New Medical Building	210.82	
Equipment New Law Building Fund.	6,434.81	
Heating and Hydraulics Plants Equipment Fund	6,059.42	
		34,879.51
Income Fund		377,259.82

Special Funds—		
Library Fund	$ 15,944.65	
Special Land Fund	18,553.78	
Donated Land Fund	1,877.99	
Paving, Sidewalks and Campus Fund	5,079.76	
		41,456.18
Total Disbursements		$586,229.83

BALANCES IN UNIVERSITY TREASURY, JUNE, 1911.

Funds for the erection of buildings, etc.—		
Building Tax Fund	$ 5,743.53	
Repair and Contingent Fund	56.38	
Equipment and Supplies Fund	2,543.06	
Equipment New Law Building, etc., Fund	3,166.14	
Heating and Hydraulic Plants Equipment Fund.	1,440.58	
Income Fund (excluding hospital surpluses for the year)	4,678.00	
Special Funds—		
Library Fund	1,014.68	
Paving, Sidewalks and Campus Fund	8.90	
Special Land Fund	1,688.19	
	$ 20,339.46	
Donated Land Fund (Overdrawn)	287.63	
Total balances		$ 20,051.83

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		$606,281.66
Total disbursements	$586,229.83	
Balances	20,051.83	
	$606,281.66	$606,281.66

Amount of money available from all sources, during the year commenced July 1, 1910, and ended June 30, 1911, for the erection, equipment, improvement, and repair of buildings at the University.

1-5 Mill Building Tax Fund (Thirty-fourth General Assembly, Chapter 201, Section 1.)

Balance in Building Tax Fund proper, July 1, 1910	$ 3,375.75	
Received—state warrants	135,000.00	
Received—sale of old material	2.00	
		$138,377.75

Repair and Contingent Fund—		
Balance in Fund, July 1, 1910	$ 3.65	
Received—state warrants (32nd G. A., Chapter 212, Sec. 2)	7,500.00	
Received—state warrants (33rd G. A., Chapter 214, Sec. 1)	7,500.00	
Received—state warrants (34th G. A., Chapter 200, Sec. 1)	1,002.75	
Received—sale of material, etc.	57.95	
		16,064.35
Equipment and Supplies Fund—		
Balance in Fund, July 1, 1910	$ 1,096.55	
Received—State warrants (33rd G. A., Chapter 244, Sec. 1)	7,500.00	
Received—sale of old material	13.00	
		8,609.55
Equipment Fund, New Medical Buildings—		
Balance in Fund, July 1, 1910		310.82
Equipment New Law Building, etc., Fund—		
Balance in Fund, July 1, 1910	$ 100.95	
Received—state warrants (33rd G. A., Chapter 244, Sec. 1)	9,500.00	
		9,600.95
Heating and Hydraulic Plants Equipment Fund—		
Received—state warrants (33rd G. A., Chapter 244, Sec. 1)		7,500.00
		$180,463.42

Receipts from all sources, during the year commenced July 1, 1910, and ended June 30, 1911, going to make up the "Income Fund" of the University, except hospital receipts.

State Appropriations for Support—		
Thirty-second General Assembly, Chapter 212, Section 2	$195,500.00	
Thirty-second General Assembly, Chapter 214, Section 2	35,000.00	
Thirty-third General Assembly, Chapter 244, Section 1	47,000.00	
Thirty-fourth General Assembly, Chapter 209, Section 1	19,693.96	
		$297,193.96

Tuitions—		
College of Liberal Arts	$ 16,770.75	
College of Applied Science	2,880.50	
College of Law	10,142.50	
College of Medicine	5,797.75	
College of Homeopathic Medicine	900.50	
College of Dentistry	7,746.00	
College of Pharmacy	2,118.00	
Graduate College	250.00	
Summer Session	1,030.00	
Special Examinations	234.00	
School of Music	5,175.75	
		53,045.75
Diploma fees		3,809.00
Ophthalmology and Otology receipts		883.10
Dental Clinic receipts		8,245.64
Law Loan Book Account		358.15
Engineering Testing Laboratory receipts		55.39
Interest on daily bank balance		1,827.04
Interest on Permanent Land Fund		12,302.81
Rents from Permanent Land Fund		100.00
Miscellaneous cash—rents, material sold, laboratory breakage, locker rentals, etc		2,862.05
Warrants cancelled		375.00
		$381,057.89
Balance on hand, July 1, 1910		880.03
		$381,937.92

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, 1910, and ended June 30, 1911.

Library Fund—		
Balance in Library Fund, July 1, 1910	$ 1,445.78	
Received—state warrants (Thirty-third General Assembly, Chapter 244, Section 1)	15,000.00	
Received—state warrants (Thirty-fourth General Assembly, Chapter 200, Section 1)	501.37	
Received—sale of books, etc	12.18	
		$ 16,959.33
Paving, Sidewalks and Campus Fund—		
Balance in fund, July 1, 1910	$ 2,088.66	
Received—state warrants (Thirty-third General Assembly, Chapter 244, Section 1)	3,000.00	
		5,088.66

Special Land Fund—		
Balance in fund, July 1, 1910	$ 1,310.50	
Received—state warrants (Thirty-third General Assembly, Chapter 244, Section 1)	17,500.00	
Received—rents and sale of property	1,431.47	
		20,241.97
Donated Land Fund—		
Balance in fund, July 1, 1910	$ 374.47	
Received—rents, etc.	1,215.89	
		1,590.36
		$ 43,880.32

The A. Whitney Carr Free Scholarship Interest Fund, the F. O. Lowden Oratory Prize Interest Fund, the W. J. Bryan Prize Interest Fund, the Mark Ranney Memorial Interest Fund, and the Waite Lowry Gifford Memorial Interest Fund, are not shown in the statement, as these funds are held in trust by the University, the interest 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, 1910, and ended June 30, 1911.

University Hospital—			
Balance to credit of hospital, July 1, 1910		$ 3,474.17	
Hospital earnings	$ 33,641.13		
Nurses' earnings outside of hospital	1,322.98		
Operating room fees	3,910.00	38,874.11	
Total receipts			$ 42,348.28
University Homeopathic Hospital—			
Balance to credit of hospital, July 1, 1910			$ 796.62
Hospital earnings	$ 6,712.55		
Nurses' earnings outside of hospital	664.80		
Operating room fees	822.50	8,199.85	
Total receipts			8,996.47

Expenditures from funds for the erection, equipment, improvement, and repair of buildings at the University, during the year commenced July 1, 1910, and ended June 30, 1911.

1-5 Mill Building Tax Fund —	
Expended for the erection of the Law Building. (For detailed account of the expenidtures on this building, see Secretary's printed annual report.)	$ 107.64

Expended for the erection of the Engineering Shops. (For detailed account of the expenditures on this building, see Secretary's printed annual report.)		2,885.62
Expended for the erection of the Physics Building. (For detailed account of the expenditures on this building, see Secretary's printed annual report.)		99,096.77
Expended for the erection of the Hospital Extension. (For detailed account of the expenditures on this building, see Secretary's printed annual report.)		29,294.23
Superintendent of construction—part salary		1,249.96
Total expenditures		$132,634.22
Balance on hand, June 30, 1911		5,743.53
		$138,377.75

Repair and Contingent Fund—	
General repairs	$ 2,015.35
Plumbing repairs	1,065.75
Electrical repairs	1,118.71
University Hospital—repairs and painting	72.60
University Homeopathic Hospital—repairs and painting	12.00
Physics Building—repairs and painting	43.01
Old Science Hall—repairs and painting	66.75
School of Music—repairs and painting	38.04
Chemistry Building..repairs and painting	790.55
Liberal Arst Building—repairs and painting	506.22
Dental Building—repairs and painting	790.78
Green House—repairs and painting	29.70
Engineering Building—repairs and painting	79.90
Unity Hall—repairs and painting	53.07
Medical Building—repairs and painting	50.30
Armory—repairs and painting	256.15
Old Capitol Building—repairs and painting	1,570.59
Care of athletic field	524.37
Care of compus	384.13
Registrar's office—repairs	297.80
President's house—repairs	220.68
Boiler repairs	701.75
Heating plant—repairs	507.91
Hydro-electric plant—repairs	549.98
Materia Medica laboratory—repairs	2.80
Pharmacy laboratory	161.26
Library shelves—repairs	208.52
Moving department of Zoology	9.41

Fire hose	64.45	
Gas engine	2,598.22	
Tennis courts	227.91	
Warehouse	213.20	
Concrete mixer	245.81	
Light	474.30	
Steam tunnel	56.00	
Total expenditures		$ 16,007.97
Balance on hand June 30, 1911		56.38
		$ 16,064.35
Equipment and Supplies Fund—		
College of Applied Science—equipment	$ 967.64	
Physics—equipment	998.32	
Commercial Museum—equipment	78.04	
College of Dentistry—equipment	556.67	
University Laundry—epuipment	39.99	
Library cases—equipment	180.49	
College of Medicine—equipment	410.68	
General equipment	720.60	
Electrical supplies	1,487.78	
Plumbing supplies	622.78	
Gas light supplies	3.50	
Total expenditures		6,066.49
Cash on hand, June 30, 1911		2,543.06
		$ 8,609.55
Equipment Fund, New Medical Buildings—		
Department of Physiology—equipment	$ 121.30	
Department of Pathology and Bacteriology—equipment	37.80	
Deportment of Anatomy and Histology—equipment	151.72	
Total expenditures		310.82
Equipment New Law Building, Etc., Fund—		
Law Building—equipment	$ 435.55	
Animal Biology—equipment	93.60	
Museum—equipment	127.28	
Old Capital Senate Room—equipment	139.01	
University Hospital—equipment	209.60	
Miscellaneous buildings—equipment	520.61	
Engineering Shops equipment	4,204.66	
Carpenter Shop—equipment	704.50	
(For itemized expenditures on these buildings, see Secretary's printed annual report.)		
Total expenditures		$ 6,434.81
Balance on hand, June 30, 1911		3,166.14
		$ 9,600.95

Heating and Hydraulic Plant Equipment Fund—		
Expended for boiler, stokers, boiler pumps, etc., for heating plant equipment		$ 6,059.42
(For itemized expenditures on this fund, see Secretary's printed annual report.)		
Total expenditures		$ 6,059.42
Balance on hand, June 30, 1911		1,440.58
		$ 7,500.00

Expenditures from Income Fund for the year commenced July 1, 1910, and ended June 30, 1911. (For an itemized account of all disbursements summarized below, see Secretary's printed annual report.)

Cost of Instruction—		
College of Liberal Arts	$117,608.00	
College of Applied Science	31,400.00	
College of Law	18,040.00	
College of Medicine	33,605.00	
College of Homeopathic Medicine	5,350.00	
College of Dentistry	16,100.00	
College of Pharmacy	4,300.00	
Graduate College	3,662.50	
Summer Session and Library School	7,185.00	
Total cost of instruction		$237,250.50
Cost of Administration—		
Salaries	$ 15,130.00	
Supplies	1,683.35	
Total cost of administration		17,813.35
General Library—		
Salaries	$ 5,266.62	
Supplies	1,749.90	
Total library expenditures from Income Fund (Books, periodicals, etc., are paid for from the special library appropriation.)		7,016.52
Cost of Apparatus and Supplies of Departments—		
College of Liberal Arts	$ 8,127.02	
College of Law	101.18	
College of Medicine	5,463.86	
College of Homeopathic Medicine	73.48	
College of Dentistry	6,786.57	
College of Pharmacy	1,466.67	
Graduate College	244.87	
Summer Session and Library School	212.53	
Total cost of apparatus and supplies of departments		22,476.18

Alumni Bureau—		
Salaries	$ 1,000.00	
Supplies, stenographic service, etc.	1,427.37	
Total cost of Alumni Bureau		2,427.37
University extension expenses		451.87
Law loan book account		598.50
Fixed charges, or general expenditures such as fuel, light, janitor service, engineer, fireman, etc.		83,578.59
Tuitions refunded		135.00
Tuitions—School of Music—		
Turned over to Director of the School		5,175.75
Engineering testing laboratory		30.89
Warrant account		305.40
Total expenditures from Income Fund		$377,259.92
Balance on hand, June 30, 1911		4,678.00
		$381,937.92

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, 1910, and ended June 30, 1911.

Library Fund—		
Expended for books, periodicals, and binding, as set out in the Secretary's printed annual report	$ 15,944.65	
Balance on hand, June 30, 1911	1,014.68	
		$ 16,959.33
Special Land Fund—		
Expended for land, as set out in the Secretary's printed annual report	$ 18,553.78	
Balance on hand, June 30, 1911	1,688.19	
		$ 20,241.97
Donated Land Fund—		
Expended for labor and material on Athletic Field	$ 1,877.99	
Overdrawn on fund, June 30, 1911	287.63	
		$ 1,590.36
Paving and Sidewalks Fund—		
Expended for paving, etc., as set out in Secretary's printed annual report	$ 5,079.76	
Balance on hand, June 30, 1911	8.90	
		$ 5,088.66

Expenditures from hospital receipts for the year commenced July 1, 1910, and ended June 30, 1911.

University Hospital—		
Salaries	$ 7,407.15	
Help	4,019.56	
Provisions	12,889.05	
Household	13,157.33	
Medicine	4,219.88	
Total expenditures		$ 41,692.97
Balance in Income Fund to credit of University Hospital account, June 30, 1911		655.31
		$ 42,348.28
University Homeopathic Hospital—		
Salaries	$ 1,517.50	
Help	553.79	
Provisions	3,535.62	
Household	2,091.54	
Medicine	416.26	
Total expenditures		$ 8,114.71
Balance in Income Fund to credit of University Homeopathic Hospital account, June 30, 1911		881.76
		$ 8,996.47

STAFF OF INSTRUCTION.

1910-11.

Number of professors	68
Number of assistant professors	27
Number of instructors and assistant instructors	49
Number of fellows	6
Number of scholars	16
Number of lecturers	6

NUMBER OF STUDENTS.

Enrolled during regular academic year.	Men.	Women	Total
College of Liberal Arts	585	552	1,137
Graduate College	114	117	231
College of Applied Science	180		180
College of Law	210	1	211
College of Medicine	115	4	119
Training School of Nurses (College of Medicine)		59	59
College of Homeopathic Medicine	17	1	18
Training School for Nurses (College of Homepathic Medicine)		15	15

College of Dentistry	142	3	145
College of Pharmacy	42	1	43
School of Music (affiliated)	18	64	82
Summer School for Library Training	1	19	20
	1,424	836	2,260
Duplicates	128	42	170
Total for entire year 1910-11, including Summer Session, without duplicates	1,296	794	2,090

THE STATE UNIVERSITY OF IOWA.

IOWA CITY.

SPECIAL REPORT OF THE SECRETARY OF THE UNIVERSITY TO THE THIRTY-FIFTH GENERAL ASSEMBLY.

1911-1912.

JANUARY 1, 1913.

OFFICE OF THE SECRETARY OF THE UNIVERSITY.

January 1, 1912.

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

I submit herewith my special report for the year commenced July 1, 1911, and ended June 30, 1912, in accordance with the provisions of Chapter 104, Acts of the Thirtieth General Assembly.

Very respectfully,

WM. H. BATES,

Acting Secretary of the University.

IOWA STATE BOARD OF EDUCATION.

James H. Trewin, President.....Cedar Rapids
Daniel A. Emery, Secretary.....Des Moines

MEMBERS OF THE BOARD.

Terms expire July 1, 1913.

Parker K. Holbrook.....Onawa
Charles R. Brenton.....Dallas Center
D. D. Murphy.....Elkader

Terms expire July 1, 1915.

James H. Trewin.....Cedar Rapids
Roger Leavitt.....Cedar Falls
Edwin P. Schoentgen.....Council Bluffs

Terms expire July 1, 1917.

A. B. Funk.....Spirit Lake
George T. Baker.....Davenport
Henry M. Eicher.....Washington

FINANCE COMMITTEE.

William R. Boyd, President.....Cedar Rapids
Thomas Lambert.....Sabula
Daniel A. Emery, Secretary.....Des Moines

OFFICERS OF THE UNIVERSITY. . .

John G. Bowman.....President
Wm. H. Bates.....Acting Secretary
W. J. McChesney.....Treasurer

THE STATE UNIVERSITY OF IOWA.

IOWA CITY.

Statement of Receipts and Disbursements for the year commenced July 1, 1911, and ended June 30, 1912:

RECEIPTS.

Funds for the erection of Buildings, etc.....	$245,596.31	
Income Fund	482,376.10	
Special Funds	42,361.69	
Total receipts		$770,334.10

The A. Whitney Carr Free Scholarship Interest Fund, the F. O. Lowden Oratory Prize Fund, the W. J. Bryan Prize Interest Fund, the Mark Ranney Memorial Interest Fund, the Waite Lowry Gifford Memorial Interest Fund, are not shown in the 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.

DISBURSEMENTS.

Funds for the erection of buildings, etc.—		
Building Tax Fund		$158,204.26
Repair and Contingent Fund	$ 22,982.31	
Equipment and Supplies Fund	9,639.45	
Equipment New Law Building Fund	2,649.65	
Equipment New Buildings Fund	15,168.68	
Heating and Hydraulic Plants Equipment Fund.	1,442.95	
		51,883.04
Income Fund		464,334.48
Special Funds—		
Library Fund	$ 13,806.76	
Special Land Fund	21,297.67	
Paving, Sidewalks and Campus Fund	5,266.62	
		40,371.05
Total disbursements		$714,792.83

BALANCES IN UNIVERSITY TREASURY, JUNE 30, 1912.

Funds for the erection of buildings, etc.—		
Building Tax Fund	$ 22,588.37	
Repair and Contingent Fund	1,660.52	
Equipment and Supplies Fund	412.31	
Equipment New Law Building, etc., Fund	516.49	
Equipment New Buildings Fund	10,331.32	
Income Fund (excluding hospital surpluses for the year)	18,041.62	
Special Funds—		
Library Fund	347.47	
Special Land Fund	1,706.52	
Donated Land Fund	92.37	
	$ 55,696.99	
Less Paving, Sidewalks and Campus Fund (Overdrawn)	155.72	
		$ 55,541.27

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		$770,344.10
Total disbursements	$714,792.83	
Balances	55,541.27	
	$770,334.10	$770,334.10

Amount of moneys available from all sources, during the year commenced July 1, 1911, and ended June 30, 1912, for the erection, equipment, improvement and repair of buildings at the University.

One-fifth Mill Building Tax Fund—		
(34th G. A., Chapter 201, Sec. 1.)		
Balance in Building Tax Fund proper, July 1, 1911	$ 5,743.53	
Received, State Warrants	175,000.00	
Received, sale of old material	49,10	
		$180,792.63
Repair and Contingent Fund—		
Balance in Fund, July 1, 1911	$ 56.38	
Received—State warrants (32nd G. A., Chapter 212, Sec. 2)	9,375.00	
Received—State warrants (33rd G. A., Chapter 244, Sec. 1)	9,375.00	
Received—State warrants (34th G. A., Chapter 200, Sec. 1)	5,000.00	
Received—Athletic Board—concrete bleachers	830.28	
Received—Warrants cancelled	6.17	
		24,642.83
Equipment and Supplies Fund—		
Balance in Fund, July 1, 1911	$ 2,543.06	
Received—State warrants (34th G. A., Chapter 212, Sec. 2.)	7,500.00	
Received—Warrants cancelled	8.70	
		10,051.76
Equipment New Law Building, etc., Fund—		
Balance in Fund, July 1, 1911		3,166.14
Equipment New Buildings Fund—		
Received—State warrants (34th G. A., Chapter 212, Sec. 2.)		25,500.00
Heating and Hydraulic Plants Equipment Fund—		
Balance in Fund, July 1, 1911	$ 1,440.58	
Received—sale of old material	2.37	
		1,442.95
Total		$245,596.31

Receipts from all sources during the year commenced July 1, 1911, and ended June 30, 1912, going to make up the "Income Fund" of the University, except hospital receipts.

State appropriations for support—		
32nd G. A., Chapter 212, Sec. 2	$205,500.00	
32nd G. A., Chapter 214, Sec. 2	35,000.00	
33rd G. A., Chapter 244, Sec. 1	22,000.00	
33rd G. A., Chapter 244, Sec. 1	6,250.00	
34th G. A., Chapter 200, Sec. 1	25,000.00	
34th G. A., Chapter 200, Sec. 1	98,200.00	
		$391,950.00

Tuitions—		
College of Liberat Arts	$ 18,116.00	
College of Applied Science	3,001.75	
College of Law	10,221.30	
College of Medicine	5,306.50	
College of Homeopathic Medicine	775.25	
College of Dentistry	8,327.25	
College of Pharmacy	2,305.00	
Graduate College	199.00	
Summer Session and Library School	985.00	
School of Music	6,866.25	
Special Examinations	135.00	
		56,238.30
Diploma fees		4,287.00
Ophthalmology and Otology receipts		1,203.63
Dental Clinic receipts		7,223.49
Law Loan Book Account		354.95
Engineering Testing Laboratory Account		17.65
Miscellaneous cash, rents, material sold, laboratory breakage, deposits net, locker rentals, etc.		1,741.53
Interest on daily bank balance		2,960.18
Interest on Permanent Land Fund		11,167.04
Warrants cancelled		554.33
Total		$477,698.10
Balance on hand, July 1, 1911		4,678.00
		$482,376.10

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, 1911, and ended June 30, 1912.

Library Fund—		
(34th G. A., Chapter 200, Sec. 1.)		
Balance in Library Fund, July 1, 1911	$ 1,014.68	
Received—State warrants	13,125.00	
Received—sale of Books, etc.	14.55	
		$ 14,154.23
Special Land Fund—		
(34th G. A., Chapter 212, Sec. 2.)		
Balance in Fund, July 1, 1911	$ 1,688.19	
Received—State warrants	20,000.00	
Received—rents and property sold	1,316.00	
		23,004.19
Donated Land Fund—		
Received—rents, etc.	$ 380.00	
Overdrawn on fund, July 1, 1911	287.63	
		92.37

Paving, Sidewalks and Campus Fund—		
(34th G. A., Chapter 212, Sec. 2.)		
Balance in Fund, July 1, 1911	$ 8.90	
Received—State warrants	5,000.00	
Received—material sold	102.00	
		5,110.90
		$ 42,361.69

The A. Whitney Carr Prize Scholarship Interest Fund, the F. O. Lowden Oratory Prize Interest Fund, the W. J. Bryan Prize Interest Fund, the Mark Ranney Memorial Interest Fund, the Waite Lowry Gifford Memorial Interest Fund, are not shown in the statement, as these funds are held in trust by the University, the interest 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, 1911, and ended, June 30, 1912.

University Hospital—		
Balance to credit of hospital, July 1, 1911		$ 655.31
Hospital earnings	$ 37,084.95	
Nurses' earnings outside of hospital	1,191.74	
Operating room fees	4,025.00	
		42,301.69
		$ 42,957.00
University Homeopathic Hospital—		
Balance to credit of hospital, July 1, 1911		$ 881.76
Hospital earnings	$ 6,199.91	
Nurses' earnings outside of hospital	266.25	
Operating room fees	756.75	
		7,222.91
Balance overdrawn, June 30, 1912		2.32
		$ 8,106.99

Expenditures from funds for the erection, equipment, improvement and repair of buildings at the University, during the year commenced July 1, 1911, and ended June 30, 1912.

One-fifth Mill Building Tax Fund—	
Expended for the erection of the Physics Building (For detailed account of the expenditures on this building, see Secretary's printed annual report)	$ 86,215.63
Expended for the erection of the University Hospital Extension (For detailed account of the expenditures on this building, see Secretary's printed annual report)	68,811.67

Expended for the erection of the Woman's Buliding (For detailed account of the expenditures on this building, see Secretary's printed annual report)	1,776.96	
Superintendent of Construction—part salary	1,400.00	
Total expenditures		$158,204.26
Balance on hand, June 30, 1912		22,588.37
		$180,792.63

Repair and Contingent Fund—

General repairs	$ 3,498.23	
Plumbing repairs	266.34	
Electrical repairs	529.44	
Physics Building—repairs and painting	197.32	
Science Building—repairs and painting	152.74	
School of Music—repairs and painting	20.07	
Hall of Liberal Arts—repairs and painting	391.25	
Dental Building—repairs and painting	210.43	
President's House—repairs and painting	30.83	
Old Capitol Building—repairs and painting	143.22	
Chemistry Building—repairs and painting	160.06	
Medical Laboratory—repairs and painting	299.19	
Unity Hall—repairs and painting	677.60	
Natural Science Building—repairs and painting	185.46	
Green House—repairs and painting	7.09	
Engineering Building—repairs and painting	64.36	
Armory—repairs and painting	251.14	
Nurses' Home—repairs and painting	24.51	
Engineering Sheds—repairs and painting	5.36	
Old Capitol Building—vault	215.98	
Homeopathic Hospital—fire escapes	327.00	
Homeopathic Hospital—tunnel	1,247.57	
University Hospital—repairs and painting	1,780.08	
Heating Plant—repairs and painting	459.31	
Boiler repairs	647.06	
Chemical Laboratory—repairs and painting	123.20	
Pharmacy Laboratory—repairs and painting	25.02	
Care of Campus	231.86	
Care of Athletic Field	402.47	
Football bleachers	1,676.56	
Steam tunnel—repairs	1,090.08	
Hospital boiler—repairs	43.75	
Gas engine	4,230.04	
Dynamo	2,322.69	
University plumber—salary	1,045.00	
Total expenditures		$ 22,982.31
Balance on hand June 30, 1912		1,660.52
		$ 24,642.83

Equipment and Supplies Fund—		
College of Applied Science—equipment	$ 1,754.98	
Department of Physics—equipment	1,145.36	
College of Dentistry—equipment	1,081.19	
Commercial Museum—equipment	41.81	
Museum—equipment	1,815.87	
Carpenter Shop—equipment	8.50	
University Laundry—equipment	58.69	
General Equipment	493.08	
Electrical Supplies	1,731.45	
Plumbing Supplies	733.47	
Steam Heating Supplies	438.43	
Gas Light Supplies	24.47	
Library Card Cases	312.15	
Total expenditures		$ 9,639.45
Cash on hand, June 30, 1912		412.31
		$ 10,051.76
Equipment New Law Building, Etc., Fund—		
Law Building—equipment	$ 113.63	
President's House—equipment	2,026.48	
Carpenter Shop—equipment	224.65	
Senate Room—equipment	238.14	
Miscellaneous Buildings—equipment	46.75	
Total expenditures		$ 2,649.65
Cash on hand, June 30, 1912		516.49
		$ 3,166.14
Equipment New Buildings Fund—		
Engineering Shops—equipment	$ 965.79	
Electrical Engineering—equipment	2,778.17	
Hospital Extension—equipment	6,188.11	
Research Laboratory—equipment	4,237.27	
Physics Building—equipment	999.34	
Total expenditures		$ 15,168.68
Balance on hand, June 30, 1912		10,331.32
		$ 25,500.00
Heating and Hydraulic Plant Equipment Fund—		
Heating Plant—equipment		$ 1,442.95

Expenditures from Income Fund for the year commenced July 1, 1911, and ended June 30, 1912. (For an itemized account of all disbursements summarized below, see Secretary's printed annual report.)

Cost of Instruction—		
College of Liberal Arts	$152,151.63	
College of Applied Science	34,859.22	
College of Law	19,450.00	
College of Medicine	50,254.42	
College of Homeopathic Medicine	5,350.00	
College of Dentistry	17,068.88	
College of Pharmacy	5,399.96	
Graduate College	6,300.00	
Summer Session and Library School	7,587.44	
Total cost of instruction		$298,422.25
Cost of Administration—		
Salaries	$ 20,248.59	
Supplies	2,203.26	
Total cost of administration		22,451.85
General Library—		
Salaries	$ 7,790.26	
Supplies and assistance	1,082.83	
Total Library expenditures from Income Fund (Books, periodicals, etc., are paid for from the special library appropriation.)		8,873.09
Cost of Apparatus and Supplies of Departments—		
College of Liberal Arts	$ 12,987.98	
College of Law	246.74	
College of Medicine	6,836.60	
College of Homeopathic Medicine	153.39	
College of Dentistry	5,227.86	
College of Pharmacy	1,534.89	
Graduate College	383.00	
Summer Session and Library School	370.27	
Total cost of apparatus and supplies of departments		27,710.73
Alumni Bureau—		
Salaries	$ 1,828.12	
Supplies, stenographic service, etc.	1,798.54	
Total cost of Alumni Bureau		3,626.66
University Extension Expenses		570.70
Law Loan Book Account		271.45
Fixed Charges, or General Expenditures—such as fuel, light, janitor service, engineer, firemen, etc.		95,466.12
Tuitions—School of Music		6,866.25
Tuitions refunded		50.00

Engineering Testing Laboratory.....	25.38
Total expenditures from Income Fund.....	$464,334.48
Balance on hand, June 30, 1912.....	18,041.62
	$482,376.10

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, 1911, and ended June 30, 1912.

Library Fund—		
Expended for books, periodicals, and binding, as set out in the Secretary's printed annual report	$ 13,806.76	
Balance on hand, June 30, 1912.....	347.47	
		$ 14,154.23
Special Land Fund—		
Expended for land, as set out in the Secretary's printed annual report.....	$ 21,297.67	
Balance on hand, June 30, 1912.....	1,706.52	
		23,004.19
Donated Land Fund—		
Balance, cash on hand, June 30, 1912.....		92.37
Paving and Sidewalks Fund—		
Expended for cement walks and to the city of Iowa City for paving.....	$ 5,266.62	
Overdrawn on June 30, 1912.....	155.72	
		5,110.90

Expenditures from hospital receipts for the year commenced July 1, 1911, and ended June 30, 1912.

University Hospital—		
Salaries	$ 8,886.67	
Help	4,590.14	
Provisions	15,649.02	
Household	8,981.13	
Medicine	3,544.11	
Total expenditures		$ 41,681.07
Balance in Income Fund to credit of University Hospital account, June 30, 1912.....		1,305.93
		$ 42,957.00

University Homeopathic Hospital—		
Salaries	$ 1,611.00	
Help	740.09	
Provisions	3,524.38	
Household	1,877.20	
Medicine	354.32	
Total expenditures		$ 8,106.99

STAFF OF INSTRUCTION.

1911-12.

Number of professors	70
Number of assistant professors	29
Number of instructors and assistant instructors	53
Number of fellows	12
Number of scholars	21
Number of lecturers	13
	198

NUMBER OF STUDENTS.

Enrolled during regular academic year.	Men.	Women	Total
College of Liberal Arts	551	556	1107
College of Law	210	0	210
College of Medicine	106	4	110
Training School for Nurses (College of Medicine)	0	62	62
College of Homeopathic Medicine	15	1	16
Training for Nurses (College of Homeopathic Medicine)	0	13	13
College of Dentistry	149	3	152
College of Pharmacy	44	2	46
Graduate College	142	81	223
College of Applied Science	165	0	165
School of Music (affiliated)	15	89	104
Summer School for Library Training	0	22	22
	1397	833	2230
Duplicates	102	38	140
Total for entire year 1911-12, including Summer Session, without duplicates	1295	795	2090

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

January 10, 1913.

To the General Assembly of the State of Iowa:

GENTLEMEN—I beg leave to submit herewith the report required by Chapter 104 of the Laws of the Thirtieth General Assembly. It shows:

First—The funds available for all college purposes during each fiscal year of the biennial period ending June 30, 1912.

Second—The amounts expended for buildings and improvements, repairs, administration, maintenance and equipment of departments, and for the general expenses of the institution.

Third—The balance to the credit of the different funds at the close of the biennial period.

Fourth—The number of professors and instructors employed by the College, and the number of students enrolled in each course during each year of the biennial period.

I. AVAILABLE FUNDS, JULY 1, 1910.

Balances:

In the hands of the College Treasurer—			
College support, including student funds		$ 29,185.48	
Agricultural Extension		2,707.81	
Experiment Funds—			
Agricultural Experiment Station	$ 6,255.66		
Engineering Experiment Station	2,297.38		
Horse Breeding Experimentation	3.61		
Good Roads Experimentation	.40		
		8,557.05	
Building and Equipment Funds—			
Agricultural Hall furniture	$ 10.81		
Repair and Contingent Fund, including amount transferred from tuition	6,197.66		
Room rent	1,286.12		
		7,494.59	
Total in hands of College Treasurer			$ 47,944.93
In the hands of the State Treasurer—			
Special Building Tax		$ 97,546.50	
Part of special appropriations of Thirty-third General Assembly made available before July 1, 1910, unexpended		18,324.44	
Pure Bred Stock (old)		.44	
Total in hands of State Treasurer			$115,871.38
Total balances			$163,816.31

Additional funds becoming available during the biennial period 1910-12:

(a) Additional funds available 1910-11.

Educational Support Funds, Collegiate Departments—			
From National Government		$ 80,742.79	
From State appropriations		210,527.47	
From rental on donated land		7.40	
From student fees		58,734.51	
Special trust funds to be used according to terms of trust		2,188.75	
Tuition from students residing outside of state		6,677.50	
Interest on Treasurer's balances		1,943.05	
			$360,821.47
Two-year course in Agriculture—			
From state—Pro rata annual appropriation for first partial quarter			5,013.74
Agricultural Extension Fund—			
From State—Annual appropriation		$ 32,000.00	
Pro rata appropriation, Thirty-fourth General Assembly		2,005.49	
			$ 34,005.49
Experiment Funds—			
Agricultural Experiment Station—			
From National Government	$ 30,000.00		
From State appropriation	40,000.00		
Pro rata appropriation Thirty-fourth General Assembly	3,008.24		
		$ 73,008.24	
Horse Breeding Experimentation—			
From State		1,400.00	
Engineering Experiment Station—			
From State annual appropriation	$ 5,000.00		
Pro rata appropriation Thirty-fourth General Assembly	1,002.75		
		6,002.75	
Good Roads Experimentation—			
From State annual appropriation	$ 5,000.00		
Pro rata appropriation Thirty-fourth General Assembly	1,002.75		
		6,002.75	
			$ 86,413.74
Building and Equipment Funds—			
Special Building Tax		$137,426.90	
Annual repair and contingent fund		36,000.00	
Part of the special appropriations of the Thirty-third General Assembly made available after July 1, 1910		56,250.00	
Part of the special appropriation of the Thirty-fourth General Assembly made available before July 1, 1911		65,750.00	

Receipts from rental of rooms, sale of old building material and net receipts from Custodian's store room	3,591.21	
		$299,018.11
Total from all sources for 1910-11		$785,272.55

(b) Additional funds available 1911-12.

Educational Support Funds—Collegiate Departments—		
From National Government	$ 85,018.73	
From State appropriations	249,900.00	
From rental on donated land	1.00	
From student fees	62,948.71	
Special trust funds to be used according to terms of trust	2,361.99	
Tuition from students residing outside of state	8,147.50	
Interest on Treasurer's balances	3,380.95	
Old land deposit fees credited to Support Fund	39.50	
		$411,798.38
Two-year Course in Agriculture—		
From State annual appropriation	$ 25,000.00	
From student fees	2,935.45	
		27,935.45
Agricultural Extension—		
Annual appropriation		50,000.00
Experiment Funds—		
Agricultural Experiment Station—		
From National Government	$ 30,000.00	
From State appropriations	55,000.00	
		$ 85,000.00
Horse Breeding Experimentation	450.00	
Engineering Experiment Station	10,000.00	
Good Roads Experimentation	10,000.00	
		105,450.00
Building and Equipment Funds—		
Special Building Tax	$145,022.85	
Annual Repair and Contingent Fund	36,000.00	
Receipts from rental of rooms and sale of wreckage	5,091.87	
		186,114.72
Total from all sources for 1911-12		$781,298.55

II. EXPENDITURES.

(a) For 1910-11.

Educational Support Funds—Collegiate Departments—	
Salaries, including administrative officers	$185,189.44
Department expenses and ordinary equipment	73,984.95

Administrative and general expenses	18,240.64	
Maintenance of buildings and grounds, including heat, light and janitor service for buildings and care of campus	52,783.72	
		$330,198.75
Agricultural Extension Fund—		
Salaries of Extension Staff, including secretary short course workers	$ 21,652.42	
Current expenses and equipment	14,942.51	
		36,594.93
Experiment Funds—		
Agricultural Experiment Station—		
Salaries of Station Staff and Assistants	$ 33,430.19	
Current expenses and equipment	32,580.35	
		$ 66,010.54
Horse Breeding Experimentation—		
Salaries of horsement	$ 173.75	
Current expenses, feed stuffs, etc	838.84	
		1,012.59
Engineering Experiment Station—		
Salaries	$ 2,219.43	
Current expenses and equipment	4,867.96	
		$ 7,087.39
Good Roads Experimentation—		
Salaries	$ 3,075.00	
Current expenses and equipment	1,886.98	
		4,961.98
Building and Equipment Fund expenditures—		
Repairs and contingencies	$ 32,708.90	
Special Building Tax—		
Hall of Agriculture	1,585.48	
Ceramics Building	1,107.07	
Domestic Technology	54,400.94	
Engineering Hall Annex	266.10	
Veterinary Building	45,917.56	
Gymnasium	3,241.78	
Judging pavilion	.30	
Hall of Agriculture furniture	15,760.64	
Central Heating Plant	40,655.16	
Sidewalks and Grading	565.85	
Engineering Annex furniture	2,012.67	
Purchase of Pure Bred Stock	3,568.59	
Equipment of departments	7,791.88	
Room rent	1,621.09	
		$211,204.01
Total expenditures for 1910-11		$657,070.19

(b) For 1911-12.

Educational Support Funds—		
Salaries, including administrative officers	$209,382.12	
Department expenses and equipment	97,958.66	
Administrative and general expenses	22,239.97	
Maintenance of buildings and grounds	67,137.16	
		$396,717.91
Two-Year Course in Agriculture—		
Salaries	$ 15,459.81	
Department expenses and equipment	6,980.88	
		22,440.69
Agricultural Extension Funds—		
Salaries	$ 21,824.33	
Current expenses and equipment	17,281.71	
		39,106.04
Experiment Funds—		
Agricultural Experiment Station—		
Salaries	$ 36,297.42	
Current expenses and equipment	38,928.24	
		75,225.66
Horse Breeding Experimentation—		
Salaries of horsemen	$ 400.00	
Partial payment of horse	441.02	
		841.02
Engineering Experiment Station—		
Salaries	$ 5,761.67	
Current expenses and equipment	3,083.76	
		8,845.43
Good Roads Experimentation—		
Salaries	$ 5,276.89	
Current expenses and equipment	2,626.76	
		7,903.65
Building and Equipment Fund Expenditures—		
Repairs and contingencies	$ 24,361.37	
Special Building Tax—		
Hall of Agriculture	8,387.28	
Domestic Technology	149.33	
Veterinary Building	94,511.74	
Gymnasium	66,079.32	
Judging Pavilion	13,033.44	
Hall of Agriculture furniture	23.52	
Central Heating Plant	1,869.61	
Heating Plant	4,782.65	
Sidewalks and Grading	435.36	
Engineering Annex furniture	13.37	
Equipment of Departments	1,701.97	
Additional Department Equipment	32,379.54	
Public Grounds Improvements	6,728.68	
Room rent	5,080.06	
		259,537.24
Total expenditures for 1911-12 for all purposes		$810,617.64

SUMMARY.

RECEIPTS.

Balances in College and State Treasuries, July 1, 1910		$ 163,816.31
Additional funds available in 1910-11	$785,272.55	
Additional funds available in 1911-12	781,298.55	
		$ 1,566,571.10
Total funds available during biennial period from all sources, and for all purposes		$ 1,730,387.41

EXPENDITURES.

During fiscal year 1910-11	$657,070.19	
During fiscal year 1911-12	810,617.64	
		$ 1,467,687.83
Balances in College and State Treasuries, June 30, 1912		262,699.58
Total		$ 1,730,387.41

III. BALANCES AT CLOSE OF BIENNIAL PERIOD, JUNE 30, 1912.

In hands of College Treasurer—			
Collegiate support fund, including working balance		$ 72,059.99	
Two-Year Course in Agriculture		10,508.50	
Books and Periodicals		438.75	
Piano rental		239.47	
Scholarship funds		1,150.46	
Agricultural Extension		11,012.33	
Experiment Funds—			
Agricultural Experiment Station	$ 23,027.70		
Engineering Experiment Station	2,367.31		
Good Roads Experimentation	3,137.52		
		28,532.53	
Building and Improvement Funds—			
Special Building Tax	$ 41.24		
Engineering Annex furniture	186.63		
Additional department equipment	120.46		
Heating Plant	17.35		
Public Grounds Improvements	—.68		
Room rent	3,268.05		
Repair and contingent	21,127.39		
		24,760.44	
Total in College Treasurer's hands not including Hospital balance reported elsewhere.			$149,702.47

In hands of State Treasurer—		
Special Building Tax.....	$ 91,274.67	
Part of special appropriation of Thirty-fourth General Assembly made available before July 1, 1912.....	21,722.00	
Pure bred stock appropriation (old)	.44	
Total in hands of State Treasurer		112,997.11
Total		$262,699.58

II. SALES OF DEPARTMENTS.

For year 1910-11.....	$ 67,244.69
For year 1911-12.....	75,004.49
Total	$142,249.18

III. COLLEGE HOSPITAL ACCOUNT.

Receipts.

Cash on hand July 1, 1910.....		$ 1,133.89
Receipts from students and others in 1910-11.....$	1,853.80	
Receipts from students and others in 1911-12.....	4,751.42	
		6,605.22
Total		$ 7,739.11

Disbursements.

For expense of maintenance 1910-11.....$	1,876.42	
For expense of maintenance 1911-12.....	3,027.61	
		$ 4,904.03
Cash on hand July 1, 1912.....		2,835.08
		$ 7,739.11

IV. NUMBER OF INSTRUCTORS AND STUDENT ENROLLMENT.

Collegiate Departments.

Instructors.

1910-11.

Professors, assistant professors and administrative officers.....	88
Instructors and assistants.....	85
	173

1911-12.

Professors, assistant professors and administrative officers	93
Instructors and assistants	77
	170

Non-Collegiate Departments.

1911-12.

Professors, and assistant professors	4
Instructors	13
	17

Student Enrollment.

1910-11.

Division of Agriculture—		
Science and Agriculture	241	
Animal Husbandry	155	
Agronomy	62	
Horticulture and Forestry	34	
Dairy	29	
Agricultural Engineering	34	
Home Economics	149	
		704
Division of Veterinary Medicine		100
Division of Engineering—		
Civil Engineering	209	
Mechanical Engineering	146	
Electrical Engineering	190	
Mining Engineering	31	
Ceramics	8	
Industrial Chemistry	4	
		588
Division of Science		84
Division of Music (collegiate)		9
Total		1485
Non-Collegiate Agricultural Courses		148
Winter Short Course		595
Special students, music		141
Total		2369
Less duplicates		62
		2307

1911-12.

Division of Agriculture—		
Animal Husbandry	177	
Agronomy	71	
Horticulture and Forestry	34	
Dairying	32	
Agricultural Engineering	57	
Agricultural Education	14	
Home Economics	206	
Science and Agriculture	262	
		853
Division of Veterinary		85
Division of Engineering—		
Civil Engineering	180	
Mechanical Engineering	133	
Electrical Engineering	181	
Mining Engineering	26	
Ceramics	6	
Industrial Chemistry	4	
		530
Division of Science		89
Division of Music (collegiate)		13
Total		1570
Summer School		96
Non-Collegiate Agricultural Courses		188
Winter Short Courses		614
Special Music Students		78
Total		2546
Less duplicates		36
		2510

Respectfully submitted,

E. W. STANTON,

Secretary of College.

IOWA STATE TEACHERS COLLEGE.

SPECIAL FINANCIAL REPORT, FISCAL PERIOD JULY 1, 1910, TO JUNE 30, 1912.

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

GENTLEMEN—The officers of the Iowa State Teachers College have already filed a report concerning the fiscal affairs of this state educational institution with the State Board of Education.

It is necessary to refer to this for additional details should they be desired. This report is in conformity to Chapter 104, Laws of the Thirtieth General Assembly. It contains the summaries of the several funds for the fiscal period.

SUMMARIES OF THE SEVERAL FUNDS FOR THE BIENNIAL PERIOD JULY 1, 1910, TO JUNE 30, 1912.

I. *Teachers Fund.*

Balance on hand July 1, 1910		$ 722.06
Received from state appropriations		201,412.08
Transferred from Students' Contingent Fund (fees)		24,500.00
Total disbursements	$225,660.18	
Balance on hand, June 30, 1912	973.96	
	$226,634.14	$226,634.14

II. *Contingent Fund.*

Balance on hand, July 1, 1910		$ 7,940.62
Received from State appropriations		89,604.40
Transferred from Students' Contingent Fund (fees)		18,000.00
Sale of material		2,549.21
Interest on general daily balance		1,326.85
Tuition from Independent Dist. of Cedar Falls		3,560.00
Tuition from School District No. Five		726.79
Total disbursements	$115,862.00	
Balance on hand June 30, 1912	7,845.87	
	$123,707.87	$123,707.87

III. *Summer Term Fund.*

Balance on hand, July 1, 1910		$ 62.11
Received from state appropriations		19,601.65
Transferred from Students' Contingent Fund (fees)		925.00
Transferred from Summer Contingent Fund (fees)		10,028.74
Total disbursements	$ 30,617.50	
	$ 30,617.50	$ 30,617.50

IV. *Library Fund.*

Balance on hand, July 1, 1910		$ 3,568.24
Received from state appropriations		11,002.75
Received from fines and lost books		120.55
Total disbursements	$ 9,982.42	
Balance on hand June 30, 1912	4,709.12	
	$ 14,691.54	$ 14,691.54

V. *Librarians' Salary Fund.*

Balance on hand, July 1, 1910		$ 1,860.74
Received from state appropriations		13,403.85
Total disbursements	$ 9,902.87	
Balance on hand, June 30, 1912	5,361.72	
	$ 15,264.59	$ 15,264.59

VI. *Hospital Fund.*

Balance on hand, July 1, 1910		$ 1,066.80
Received from state appropriations		2,500.69
Received from insurance fees		552.00
Received from patients		1,509.76
Total disbursements	$ 5,609.15	
Balance on hand, June 30, 1912	20.10	
	$ 5,629.25	$ 5,629.25

VII. *Millage Fund.*

Balance on hand, July 1, 1910		$ 6,273.21
Received from state appropriations		105,000.00
Refund of freight		5.84
Total disbursements	$103,018.29	
Balance on hand, June 30, 1912	8,260.76	
	$111,279.05	$111,279.05

VIII. *Paving, Walks and Improvement of Grounds Fund.*

Balance on hand, July 1, 1910		$ 1,976.46
Total disbursements	$ 1,721.54	
Balance on hand, June 30, 1912	254.92	
	$ 1,976.46	$ 1,976.46

IX. *Commencement Contingent Fund.*

Balance on hand, July 1, 1910		$ 939.42
Received from fees		1,164.00
Received from commencement play		443.39
Total disbursements	$ 1,274.58	
Balance on hand June 30, 1912	1,272.23	
	$ 2,546.81	$ 2,546.81

X. *Statement of Student Fees, Collected During the Period 1910-1912, With Disposal Made of the same.*

Balance on hand, July 1, 1910		$ 16,406.38
Fees received 1910-1912		45,945.94
Paid to Teachers Fund	$ 24,500.00	

Paid to Contingent Fund	18,000.00	
Paid to Summer Term Fund	10,953.74	
Paid for Summer Lecture Courses	951.25	
Balance on hand, June 30, 1912	7,947.33	
	$ 62,352.32	$ 62,352.32

NOTE.—Large balances in funds June 30, 1912, due to receiving appropriations June 26, 1912, for use in July, August and September.

STATISTICAL INFORMATION.

	1910-11	1911-12
Normal and College Course students	2,500	2,425
Training School pupils	315	500
	2,815	2,925

NOTE.—Attendance for 1911-12 less on account of typhoid fever epidemic.

FACULTY OF INSTRUCTION.

Regular School Year.	1910-11	1911-12
Professors	45	46
Assistant Professors	13	18
Instructors	34	30
Assistants	12	14
	104	108

Respectfully submitted,

HOMER H. SEERLEY,

President.

Senator Smith moved that the Senate do now adjourn.

Carried.

The Senate adjourned until 10 o'clock A. M., Tuesday, January 21, 1913.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 21, 1913.

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

Prayer was offered by Adjutant Alfrieda Swanson of Des Moines, Iowa.

On request of Senator Heald, leave of absence was granted Senator Malmberg for the day.

On request of Senator Webber, leave of absence was granted Senator Cowles for the day.

PETITIONS AND MEMORIALS.

Senator Allen presented a petition of the board of supervisors of Buena Vista county, relative to an appropriation to indemnify owners of live stock for animals found to be diseased.

Referred to committee on agriculture.

INTRODUCTION OF BILLS.

By Senator Balluff, Senate File No. 10, a bill for an act to repeal paragraph thirty (30) of section two hundred ninety-six (296) of the supplement to the code, 1907, and to repeal chapter fourteen (14) of the acts of the Thirty-fourth (34th) General Assembly, and to enact a substitute therefor, relating to the fees to be collected and paid to the clerk of the district court in certain cases.

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

By Senator Balluff, Senate File No. 11, a bill for an act to repeal section one thousand eighty-seven-a-7 (1087-a-7) of the supplement to the code, 1907, and to enact a substitute therefor, relating to party declarations of voters at primary elections.

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

By Senator Balluff, Senate File No. 12, a bill for an act to repeal section four thousand two hundred sixty-one (4261) of the code relating to the taxing of attorney's fees in partition suits, and enacting a substitute therefor, providing for the taxing of attorney's fees as costs in actions for partition and for actions to quiet title in connection therewith.

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

By Senator Balluff, Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the code, relating to the investment of money and to enact a substitute therefor.

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

By Senator Balluff, Senate File No. 14, a bill for an act to amend chapter two hundred (200) of the acts of the Thirty-third General Assembly relating to the administration of the estates of absentees.

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

By Senator Balluff, Senate File No. 15, a bill for an act to amend section eight (8) of chapter eighty-two (82) of the acts of the Thirty-fourth General Assembly relating to the registration of motor vehicles.

Read first and second time and referred to committee on roads and highways.

By Senator Balluff, Senate File No. 16, a bill for an act to repeal section three thousand three hundred sixty-six (3366) of the code and to enact a substitute therefor, relating to the share of surviving spouse.

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

By Senator Balluff, Senate File No. 17, a bill for an act to repeal section five thousand ninety-seven (5097) of the code and to enact a substitute therefor defining magistrates and limiting the jurisdiction of certain of such magistrates.

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

By Senator Balluff, Senate File No. 18, a bill for an act to amend section nine hundred thirty-seven (937) of the code, relating to the filling of vacancies in the office of alderman in cities under special charters.

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

By Senator Crow, Senate File No. 19, a bill for an act to prohibit and punish marriage, adultery, or voluntary sexual intercourse between white persons and negroes; to define negroes and to prohibit and punish the issuance of marriage licenses to and the solemnization of marriages between the persons prohibited by the act; additional to chapter 1 of title XVI of the code.

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

By Senator Crow, Senate File No. 20, a bill for an act to amend section three hundred seventy-three (373) of chapter thirteen (13) of the law as to notaries public so that the term will hereinafter be for five (5) years instead of three (3).

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

By Senator Wilson of Clinton, Senate File No. 21, a bill for an act to repeal section 1869 of the supplement of the code of 1907, and to enact a substitute therefor, providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for a violation of the provisions of the law.

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

By Senator Sullivan, Senate File No. 22, a bill for an act to amend section seven hundred and seventy-seven (777) of the code relating to temporary sidewalks.

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

By Senator Sullivan, Senate File No. 23, a bill for an act to provide for widows who are the mothers of dependent children.

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

By Senator Francis, by request, Senate File No. 24, a bill for an act to indemnify Clara Bahls for personal injury sustained by her while at work in the laundry while attending the Institution for the Deaf and Dumb at Council Bluffs, Iowa.

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

By Senator Francis, Senate File No. 25, a bill for an act in relation to assessments for benefits to roads, streets, and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued, being amendatory to the law as it appears in sections 1989-a-19, 1989-a-26, 1989-a-27, and 1989-a-38 of the supplement to the code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-fourth General Assembly, and chapter 120 of the acts of the Thirty-third General Assembly.

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

By Senator Francis, Senate File No. 26, a bill for an act creating county agricultural high schools, providing for their management, control and operation, and creating a county board of education for their management, and making provision for the support of said schools.

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

By Senator Schrup, Senate File No. 27, a bill for an act to require all railroad companies owning railroads in the state of Iowa, of less than four (4) feet, eight and one-half (8½) inches gauge, to adopt such gauge within such reasonable time as may be fixed by the railroad commissioners.

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

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

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That the Secretary of the Senate and the chief clerk of the House be authorized to compile and have printed 1,000 copies of a vest pocket edition of the standing committees of the Thirty-fifth General Assembly, of which 250 shall be bound in leather, 80 of which shall be for the use of the Senate and 170 for the use of the House, the balance of the edition to be apportioned, 250 for the use of the Senate and 500 for the use of the House.

Adopted.

Senator Allen moved that the hour of 11:30 o'clock today be fixed as the time to ballot for the election of Senator in the Congress of the United States for the full term, beginning March 4th, 1913.

Carried.

Senator Mattes from the committee on assignment of committee rooms submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee on the assignment of committee rooms, having had the subject under consideration, hereby report and recommend the following assignments, adopting and reaffirming the assignment of committee rooms of the Thirty-fourth General Assembly, as nearly as possible:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Room 16—						
Charitable Institutions	9 a. m.		9 a. m.			
Commerce and Retail Trade		3 p. m.		3 p. m.		
Board of Control and its Institutions		2 p. m.	2 p. m.	2 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.		2 p. m.	
Public Health		3 p. m.		3 p. m.		
Pharmacy		4 p. m.			4 p. m.	
Room 18—						
Suppression of Intemperance	9 a. m.		9 a. m.		3 p. m.	
Highways		2 p. m.		2 p. m.		2 p. m.
Military		4 p. m.		4 p. m.		
Corporations	2 p. m.		2 p. m			
Room 19—						
Food and Dairy		2 p. m.		2 p. m.		
Claims			2 p. m		2 p. m.	
Constitutional Amendments		3 p. m.		3 p. m.		
Penitentiaries and Pardons			3 p. m		3 p. m.	
Room 20—						
Cong'l. Judicial Districts		2 p. m.		2 p. m.		
Public Libraries	2 p. m.		9 a. m.			2 p. m.
Federal Relations		9 a. m.			2 p. m.	
Printing	3 p. m.		3 p. m.	3 p. m.		

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Room 21—						
Labor		2 p. m.			4 p. m.	
Educational Institutions	2 p. m.			2 p. m.		2 p. m.
Engrossed Bills			9 a. m.			
Compensation of Public Officers	4 p. m.			4 p. m.		
Room 22—						
Judiciary		2 p. m.	2 p. m.	2 p. m.	2 p. m.	
Public Lands	9 a. m.			9 a. m.		
Elections	2 p. m.		4 p. m.			2 p. m.
Manufactures	3 p. m.		3 p. m.		3 p. m.	
Room 23—						
Insurance	2 p. m.			2 p. m.		
Schools			3 p. m.		3 p. m.	
Cities and Towns	3 p. m.		4 p. m.		4 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.
Agriculture		3 p. m.		3 p. m.		
Public Utilities	3 p. m.		3 p. m.		3 p. m.	
Room 25—						
Secretary and Journal Clerks						
Room 26—						
Enrolled Bills						
Room 28—						
Banks	2 p. m.		3 p. m.		2 p. m.	
Rules		9 a. m.		9 a. m.		9 a. m.
Telegraph and Telephone			2 p. m.		3 p. m.	
Fish and Game	4 p. m.	4 p. m.				
Room 29—						
Public Buildings		2 p. m.		2 p. m.		
Democratic Senators						

File Clerk—Corridor South of Senate Chamber.

Respectfully submitted,

JOSEPH MATTES,
THOS. H. SMITH,
J. J. DUNNEGAN.

Adopted.

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

Letha Cook.....Senator Wilson of Clinton
Bertha Bay.....Senator Arney
Clara Gates.....Senator Gates
Belle I. Riddle.....Senator Larrabee

The Journal of January 16th was taken up, corrected and approved.

President Harding announced that the Senate would be at ease, subject to the call of the President.

The Senate was at ease.

The President called the Senate to order at 11:30 o'clock A. M.

The President announced that he had communications from the secretary of state which were read by the secretary as follows:

TO THE THIRTY-FIFTH GENERAL ASSEMBLY OF IOWA—I, W. S. Allen, Secretary of State of the State of Iowa, in compliance with the provisions of subdivision "G" of section one (1) of chapter one (1) of the acts of the extra session of the Thirty-second General Assembly, do hereby certify that at the primary election held on June 3, 1912, for the expression of choice of Republican candidates for Senator in Congress of the United States, there were cast, as shown by certificate on file in my office, executed by the executive council of the State of Iowa, as a board of state canvassers, 189,689 votes, of which number

Wm. S. Kenyon received.....124,180 votes
Lafayette Young received..... 65,500 votes
Scattering ..... 9 votes

Wherefore, it is declared that Wm. S. Kenyon was duly nominated as the candidate of the Republican party of Iowa for the office of Senator in the Congress of the United States, for the term of six years, beginning on the 4th day of March, A. D. 1913.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the Secretary of State of the State of Iowa. Done at Des Moines, the capital of the State, this twenty-first day of January, A. D. 1913.

W. S. ALLEN,
(SEAL.) *Secretary of State.*

TO THE THIRTY-FIFTH GENERAL ASSEMBLY OF IOWA—I, W. S. Allen, Secretary of State of the State of Iowa, in compliance with the provisions of subdivision "G" of section one (1) of chapter one (1) of the acts of the extra session of the Thirty-second General Assembly, do hereby certify that at the primary election held on June 3, 1912, for the expression of choice of Democratic candidates for Senator in the Congress of the United States, there were cast, as shown by certificate on file in my office, executed by the executive council of the State of Iowa, as a board of State canvassers, 58,011 votes, of which number

D. W. Hamilton received.....57,893 votes
Scattering ..... 118 votes

Wherefore, it is declared that D. W. Hamilton was duly nominated as the candidate of the Democratic party of Iowa for the office of Senator in the Congress of the United States, for the term of six years, beginning on the 4th day of March, A. D. 1913.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the Secretary of State of the State of Iowa. Done at Des Moines, the capital of the State, this twenty-first day of January, A. D. 1913.

W. S. ALLEN,
(SEAL.) *Secretary of State.*

TO THE THIRTY-FIFTH GENERAL ASSEMBLY OF IOWA—I, W. S. Allen, Secretary of State of the State of Iowa, in compliance with the provisions of subdivision "G" of section one (1) of chapter one (1) of the acts of the extra session of the Thirty-second General Assembly, do hereby certify that at the primary election held on June 3, 1912, for the expression of choice of Prohibition candidates for Senator in the Congress of the United States, there were cast, as shown by certificate on file in my office, executed by the executive council of the State of Iowa as a board of State canvassers, 199 votes, of which number

W. S. Kenyon received.....43 votes
L. Young received.....12 votes
Malcom Smith received.....14 votes
J. B. Hammond received.....86 votes
Scattering .....44 votes

Wherefore, it is declared that J. B. Hammond was duly nominated as the candidate of the Prohibition party of Iowa for the office of Senator in the Congress of the United States, for the term of six years, beginning on the 4th day of March, A. D. 1913.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the Secretary of State of the State of Iowa. Done at Des Moines, the capital of the State, this twenty-first day of January, A. D. 1913.

W. S. ALLEN,
(SEAL.) *Secretary of State.*

TO THE THIRTY-FIFTH GENERAL ASSEMBLY OF IOWA—I, W. S. Allen, Secretary of State of the State of Iowa, in compliance with the provisions of subdivision "G" of section one (1) of chapter one (1) of the acts of the extra session of the Thirty-second General Assembly, do hereby certify that at the primary election held on June 3, 1912, for the expression of choice of Socialist candidates for Senator in the Congress of the United States, there were cast, as shown by certificate on file in my office, executed by the executive council of the State of Iowa as a board of State canvassers, 82 votes, of which number

Perry Engle received..... 6 votes
J. J. Jacobsen received.....17 votes
Scattering .....59 votes

Wherefore, it is declared that no nomination has been made as the candidate of the Socialist party of Iowa for the office of Senator in the Congress of the United States, for the term of six years, beginning on the 4th day of March, A. D. 1913.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the Secretary of State of the State of Iowa. Done at Des Moines, the capital of the State, this twenty-first day of January, A. D. 1913.

W. S. ALLEN,
(SEAL.) *Secretary of State.*

The time having arrived, the President announced that the Senate would proceed to vote for Senator in the Congress of the United States for the term beginning March 4, 1913.

Those voting for Wm. S. Kenyon were:

Senators Allen, Ames, Arney, Balkema, Boe, Chase, Crist, Darrah, Doran, Fellows, Francis, Gates, Heald, Hilsinger, Jewell, Jones, Larrabee, Mattes, McColl, Neal, Nye, Perkins, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas—29.

Those voting for D. W. Hamilton were:

Senators Balluff, Clarkson, Crow, DeWolf, Dunnegan, Farr, Garrett, Gillette, Goodwin, Legel, McManus, Quigley, Ream, Schrup, Sheean, Webber, White, Wilson of Clinton—18.

Absent or not voting:

Senators Cowles, Malmberg, Wilson of Appanoose—3.

President Harding then declared Wm. S. Kenyon, 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 the Congress of the United States for the term beginning March 4, 1913.

Senator Webber introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring, That in any case of a contest for a seat in either the Senate or the House, the maximum amount for attorney's fees, and expenses of attorneys, to be allowed to either the occupant of the seat or the one contesting, shall not exceed the sum of two hundred and fifty ($250.00) dollars.

Laid over under the rules.

INTRODUCTION OF BILLS.

By Senator Neal, Senate File No. 28, a bill for an act making an appropriation of five hundred dollars for Henry H. Rood on account of special services rendered to the Iowa Vicksburg Park monument commission in the erection of the state memorial on the Vicksburg National Military Park.

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

By Senator Cowles, Senate File No. 29, a bill for an act to transfer to the city of Burlington, Iowa, the title, use and control of a certain island in the Mississippi river near the city of Burlington, Iowa, known as Otter, Iowa.

Read first and second time and referred to committee on public lands.

By Senator Clarkson, Senate File No. 30, a bill for an act relating to surety by bank officers on bonds or other evidence of indebtedness and providing for the competency of evidence relating thereto.

Read first and second time and referred to committee on banks and banking.

The following message was received from the House:

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following Joint Resolution, in which the concurrence of the House was asked:

Senate Joint Resolution No. 1, relative to additional help.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

Senate Joint Resolution No. 1:

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

Senator Mattes moved that the Senate concur in the following House amendments.

HOUSE AMENDMENTS.

Amend Senate Joint Resolution as follows:

Section 1, line 5, substitute the name Hensel for Henkel.

Section 6, line 1, substitute the name J. O. Jenkins for J. H. Parmeley.

Section 14, line 2, substitute the name Hackley for Hackney; and lines 3 and 4, substitute "three dollars per day" for "sixty dollars per month."

On the question, "Shall the Senate concur in the House amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gates, Gillette, Goodwin, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Clinton—45.

Absent or not voting:

Balluff, Cowles, DeWolf, Malmberg, Wilson of Appanoose—5.

So the House amendments having received a constitutional majority were declared concurred in by the Senate.

Message from the Governor:

The Governor's secretary, Thomas Watters, read the following message from the Hon. George W. Clarke.

STATE OF IOWA.

EXECUTIVE DEPARTMENT.

SPECIAL MESSAGE TO THE MEMBERS OF THE THIRTY-FIFTH GENERAL ASSEMBLY OF THE STATE OF IOWA.

In view of the fact that our industrial interests are rapidly developing and that as the State grows older our manufacturing and public utilities interests will much more largely enter into and affect the life of the people,

and in view of the fact also that the relations of employer and employe in the State are now by far the greater part satisfactory and amicable so that a fair, just and unprejudiced consideration of the subject may be had, I have thought it best to especially call your attention to the necessity and wisdom of enacting at this session what might be termed an industrial disputes act.

It seems to me that only slight reflection is necessary to convince any intelligent person of the necessity and great usefulness of such a law if just and wise in its provisions. Strikes and lockouts inevitably entail loss upon both parties to the controversy and often lead to violence and much suffering. The public, in no wise to blame, is frequently put to great inconvenience and loss. The public, therefore, has an interest in the matter and the subject becomes at once of great public concern. While the right to strike is everywhere recognized as a lawful right, on the other hand it must be recognized that it is the duty of the State to protect the public welfare and that it cannot allow any of its citizens on either side of the controversy to conduct themselves in such a way as will necessarily bring loss and suffering upon the public, which is in no wise to blame for the conditions and facts bringing about the dispute. The wise thing therefore, to do, in my judgment, is to prepare for the unsatisfactory condition before it arises and thus avoid, if possible, all the loss, the suspension of business and work, the bitterness and hatred engendered and possible violence to property and persons which is incompatible with any just and proper administration of government.

If a law can be enacted by which labor can at once have a full and fair consideration of its grievances by an impartial tribunal, it seems to me that in its own interest and in the interest of the public and good citizenship such a law would meet with its approval. The employers, I think, would regard it as a natural and proper result of modern industrial conditions. There may be some question as to whether submission of disputes should be compulsory but public opinion would be a very powerful compelling force. So it would also in enforcing the judgment of the tribunal. If labor desires to be fair, if employers desire to be just and fair, if neither fears investigation upon the merits of the question at issue, then both ought to unite in helping to secure a law that would first of all proceed to an informal hearing before a disinterested tribunal and thus avoid by an amicable and just settlement the unhappy consequences so often experienced. I invite the support and good will of these classes of our citizenship. I urge upon legislators to give this subject prompt consideration. Consider what are to be future conditions in this State. Let us be wise in time. For its great helpfulness I suggest a close study of the Canadian Industrial Disputes Act. It has proved to be workable and of great value. I urgently recommend that you enact such a law.

Respectfully submitted this 21st day of January, A. D. 1913.

G. W. CLARKE,
Governor.

The President announced that there had been placed with him a communication requiring an executive session.

The Senate went into executive session.

Senate arose from executive session.

Senator Webber moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 22, 1913.

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

Prayer was offered by the Rev. D. T. Robertson of Cresco, Iowa.

On request of Senator Webber, leave of absence was granted Senator Cowles for the day.

Senator Arney moved that a committee of three (3) be appointed by the President to prepare and submit suitable resolutions to commemorate the life, character and services to the state, of Delos Arnold of Marshall and Grundy counties.

Carried.

President appointed as such committee Senators Arney, DeWolf and Larrabee.

Senator Webber moved that a committee of three (3) be appointed by the President to prepare and submit suitable resolutions to commemorate the life, character and services to the state, of Senator James H. Merrill of Wapello county.

Carried.

The President appointed as such committee Senators Webber, Cowles and Heald.

Senator Webber moved that a committee of three (3) be appointed by the President to prepare and submit suitable resolutions to commemorate the life, character and services to the state, of Senator Samuel H. Harper of Wapello county.

Carried.

President appointed as such committee Senators Webber, Larrabee and Wilson of Clinton.

INTRODUCTION OF BILLS.

By Senator Neal, Senate File No. 31, a bill for an act to amend the law relating to primary elections as it appears in sections ten hundred eighty-seven-a-four (1087-a-4), ten hundred eighty-seven-a-seven (1087-a-7), ten hundred eighty-seven-a-ten (1087-a-10), ten hundred eighty-seven-a-nineteen (1087-a-19), and ten hundred eighty-seven-a-twenty-two (1087-a-22), as amended by chapter sixty-nine (69) of the acts of the Thirty-third (33) General Assembly, and chapter fifty-eight (58) of the acts of the Thirty-fourth (34) General Assembly.

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

By Senator Spaulding, Senate File No. 32, a bill for an act to amend the law as it appears in section two hundred sixty-five (265) of the code, relating to the clerk of the superior court.

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

By Senator Spaulding, Senate File No. 33, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-a-twelve (1989-a-12) supplement to the code, 1907, as amended by chapter 118, acts of the Thirty-third General Assembly, and chapter 87, acts of the Thirty-fourth General Assembly, relating to the assessment of costs and damages in the establishment of levees, ditches, drains and water courses.

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

By Senator Smith, Senate File No. 34, a bill for an act to aid prisoners and indigent members of the families of male prisoners in the state penitentiary and the reformatory.

Read first and second time and referred to committee on penitentiaries and pardons.

By Senator Chase, Senate File No. 35.

A BILL FOR AN ACT to Legalize a Certain Election Held in the Town of Jewell Junction, Iowa.

WHEREAS, The town council of the town of Jewell Junction, Hamilton county, Iowa, pursuant to the provisions of sections 1306-b et seq of the Supplement of 1907 to the Code of Iowa, as amended, and pursuant to a petition signed by a majority of the qualified electors of said town, did heretofore call a special election, fixing the time and place thereof, for the purpose of submitting to the voters of said town, to be by them voted upon, the proposition of extending the municipal water works system, and the proposition of issuing bonds in sum not to exceed $5,000 to procure the funds to pay the cost thereof, and ordered that notice of said election be published in an appointed form, stating the time and place of the election, and the propositions to be submitted; and

WHEREAS: Said election was duly held on the fourteenth day of October, 1912, pursuant to said order of the town council, and more than two-thirds of the voters voting at said election voted in favor of each of aforesaid propositions; and

WHEREAS: Pursuant to the results of said election the town council of said town provided by an ordinance duly passed, approved, and published, for the issuance of water works bonds in the sum of $5,000, and contracted for the sale thereof; and

WHEREAS: Doubts have been raised as to the validity of the proceedings under which aforesaid bonds were ordered issued and contracted to be sold on the ground that the published notices of aforesaid special election failed to conform with law and with the order of the town council calling the election, in that said notices failed to be in the form provided for by the council, failed to designate the place of the election, and failed to notify the voters of the submission of the proposition of extending the municipal water works system, although they notified the voters of the other proposition above referred; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the special election held at Jewell Junction, Iowa, on the fourteenth day of October, 1912, be and the same is hereby legalized and declared legal and valid, the same as though the notices of election had conformed with law and with the order of the town council calling the election, and had notified the voters of the place of the election and of the submission of the proposition of extending the municipal water works system, and as though the law had in all respects been complied with.

SECTION 2. Nothing in this act should affect any pending litigation.

SECTION 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the "Register and Leader," a newspaper published at Des Moines, Iowa, and the "Jewell Record," a newspaper published at Jewell Junction, Hamilton county, Iowa, without expense to the state.

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

By Senator Smith, Senate File No. 36, a bill for an act authorizing the curator of historical collections to collect and disseminate information regarding birds, fish and other wild animal life in Iowa, and appropriating seven thousand five hundred dollars ($7,500.00) annually out of the fish and game protection fund therefor.

Read first and second time and referred to committee on fish and game.

Senator Thomas moved that four hundred (400) additional copies of Senate File No. 1 be printed.

Motion lost.

Senator Chase offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, Whereas a bill, S. 2006, known as a bill to create in the War Department and the Navy Department, respectively, a roll designated as "The Civil War volunteers officers' retired list," to authorize placing thereon with retired pay, certain surviving officers who served in the army, navy or marine corps of the United States in the Civil War and for other purposes, is pending in the Congress of the United States; therefore be it

Resolved by the General Assembly of the State of Iowa, That we approve the enactment of such a measure and respectfully request our senators and representatives in Congress to vote for the measure and use all honorable means to secure its passage, and that copies of this resolution, duly authenticated, be sent to our senators and representatives in Congress.

Laid over under the rules.

Senator Smith offered the following resolution:

I move that there be added to the standing committees of the Senate for this session a committee on new state normal schools, the number to be determined by the Lieutenant Governor and the appointment thereto to be made by him.

Laid over under the rules.

Senator Ames, chairman of the Hunter-Farr contest committee, submitted the following report and moved its adoption:

REPORT OF COMMITTEE IN THE HUNTER-FARR CONTEST.

Your committee to whom the contest papers of Robert E. Hunter and E. P. Farr of the Thirty-second Senatorial District were referred, beg leave to make the following report:

That there is filed and returned with these papers a withdrawal notice from said Robert E. Hunter, in which he withdraws from the contest herein filed, and we recommend that his withdrawal be accepted by this Senate.

Respectfully submitted this 22nd day of January, A. D. 1913.

A. L. AMES.
L. W. BOE.
ELI C. PERKINS.
W. D. SHEEAN.
J. J. DUNNEGAN.

BEFORE THE STATE SENATE OF IOWA, REGULAR SESSION, A. D. 1913.

In the matter of the contest of the election of E. P. Farr to the office of State Senator for the Thirty-second Senatorial District of Iowa.

Robert Hunter,
Contestant
vs.
E. P. Farr,
Incumbent.
"Withdrawal of Contest."

To the Lieutenant Governor of the State of Iowa as the Presiding Officer of the State Senate of the State of Iowa, and to said State Senate of Iowa:

Comes now Robert Hunter, contestant in the above entitled matter, and withdraws his contest filed herein.

Dated this 21st day of January, A. D. 1913.

ROBERT HUNTER,
Contestant.

On adoption of report of committee, the ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gates, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Clinton—45.

Absent or not voting:

Cowles, Farr, Goodwin, Sullivan, Wilson of Appanoose—5.

So the report of the committee was adopted.

Senator Clarkson from the committee on examination of applicants for committee clerkships submitted the following report and moved its adoption:

We, your committee appointed to examine and test the qualifications of committee clerks, beg leave to report that we have examined and tested the following named persons and find them qualified for the position referred to:

J. A. Tharnish.....Senator Smith
Jennie Spooner.....Senator Wilson of Appanoose
Marion Glines.....Senator DeWolf

JOHN T. CLARKSON,
Chairman.

Adopted.

Senator Webber called up concurrent resolution introduced by him yesterday relative to attorneys' fees and expenses in case of contests for seats in the House or Senate, and moved its adoption.

Senator Mattes offered the following amendment and moved its adoption:

Amend by striking out the words and figures "two hundred and fifty ($250.00) dollars" and inserting in lieu thereof the words and figures "one hundred and fifty ($150.00) dollars."

Senator Chase offered the following amendment to the amendment of Senator Mattes, and moved its adoption:

Amend the amendment by striking out the words and figures "one hundred and fifty ($150.00) dollars" and inserting in lieu thereof the words and figures "one hundred ($100.00) dollars."

Senator Schrup moved the previous question.

Carried.

Senator Clarkson moved to lay the concurrent resolution and amendments on the table.

On the motion of Senator Clarkson a roll call was demanded.

Senator Smith raised the point of order that a motion to lay on the table after the previous question has been ordered is out of order.

President decided the point of order was not well taken.

On the motion to lay the concurrent resolution and amendments on the table, the ayes were:

Allen, Ames, Clarkson, Hilsinger, Perkins, Sheean—6.

The nays were:

Arney, Balkema, Balluff, Boe, Chase, Crist, Crow, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Clinton—36.

Absent or not voting:

Cowles, Darrah, DeWolf, Gates, Gillette, Goodwin, Sullivan, Wilson of Appanoose—8.

So the motion to lay the concurrent resolution and amendments on the table was lost.

On the adoption of the amendment to the amendment, the ayes were:

Arney, Balkema, Chase, Crow, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gates, Heald, Larrabee, McColl Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Smith, Thomas, White—24.

The nays were:

Allen, Ames, Balluff, Boe, Clarkson, Crist, Darrah, DeWolf, Hilsinger, Jewell, Jones, Legel, Malmberg, Mattes, Perkins, Sheean, Spaulding, Sullivan, Taylor, Webber, Wilson of Clinton—21.

Absent or not voting:

Cowles, Gillette, Goodwin, McManus, Wilson of Appanoose—5.

So the amendment to the amendment was adopted.

The amendment of Senator Mattes as amended was then adopted.

On the adoption of the concurrent resolution as amended, the ayes were:

Arney, Balkema, Chase, Crow, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gates, Heald, Jones, Larrabee, Legel, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Thomas, White, Wilson of Clinton—30.

The nays were:

Allen, Ames, Balluff, Boe, Clarkson, Crist, Darrah, DeWolf, Hilsinger, Jewell, Malmberg, Perkins, Sheean, Sullivan, Taylor, Webber—16.

Absent or not voting:

Cowles, Gillette, Goodwin, Wilson of Appanoose—4.

So the concurrent resolution as amended was adopted.

INTRODUCTION OF BILLS.

By Senator Allen, Joint Resolution No. 3, proposing to repeal section one (1) of article two (2) of the constitution of the state of Iowa and to enact a substitute therefor relating to the right of suffrage.

JOINT RESOLUTION NO. 3.

Joint Resolution Proposing to Repeal Section One (1) of Article Two (2) of the Constitution of the State of Iowa and to Enact a Substitute Therefor Relating to the Right of Suffrage.

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

That the following amendment to the constitution of the State of Iowa be and the same is hereby proposed, viz.: To repeal section one (1) of article two (2) of the constitution of the State of Iowa and to adopt in lieu therefor the following, to-wit:

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

Read first and second time and referred to committee on constitutional amendments.

By Senator Sullivan, Senate File No. 37, a bill for an act to amend section five thousand two hundred fifty-six (5256) of the supplement to the code, 1907, relating to the appointment and compensation of the clerks of the grand jury.

Read first and second time and referred to committee on compensation of public officers.

By Senator Sullivan, Senate File No. 38, a bill for an act to provide for the compilation of the laws of the Thirty-third, Thirty-fourth and Thirty-fifth General Assemblies and the laws as they appear in the supplement to the code, 1907; to annotate same and the code and rules of the supreme court, to and including May term, 1913, of the supreme court, and to publish the said compilation and annotations as a "supplement to the code, 1913," and to provide for the appointing of a supervising committee, the election of an editor of such supplement to the code and to establish a salary for such editor, and making an appropriation therefor, and repealing section twenty-four (24) of chapter twenty (20) of the acts of the Twenty-sixth General Assembly, extra session, as same appears on page five (5) of the prefix to the code.

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

By Senator Farr, Senate File No. 39, a bill for an act to amend section two hundred twenty-seven (227) of the code supplement of 1907, as amended by the Thirty-fourth General Assembly, and to provide for an additional judicial district and an additional judge for said additional district.

Read first and second time and referred to committee on judicial districts.

By Senator Malmberg, Senate File No. 40, a bill for an act relating to the loaning and depositing of public funds by city treasurers.

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

By Senator Malmberg, Senate File No. 41, a bill for an act to amend section 3284 of the code relating to notice of hearing of probate wills.

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

The Senate went into executive session.

On motion the Senate on roll call advised and consented to the appointment of Captain William A. Duckworth for the office of custodian of public buildings and property for the remainder of the unexpired portion of the term of Captain C. W. Boutin, deceased.

On motion the Senate arose from executive session.

Senate resumed regular session.

President Harding announced that the Senate would be at ease subject to the call of the President.

The Senate was at ease.

The President called the Senate to order at 11:55 o'clock A. M.

Senator Sullivan asked unanimous consent that Senate File No. 23, which was referred to committee on judiciary, be referred to committee on charitable institutions.

Consent granted.

Senate File No. 23 was referred to committee on charitable institutions.

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

The Senate proceeded to the House chamber under the direction of the sergeant-at-arms.

JOINT CONVENTION.

The joint convention was called to order by Lieutenant Governor Harding, president of the joint convention, at 12 o'clock noon.

The roll being called, the following responded as present:

Allen, Anderson of Montgomery, Anderson of Greene, Ames, Arney, Atkinson, Balkema, Balluff, Barry, Bartle, Bauman, Bernbrock, Bingham, Black, Blackford, Bliss, Boe, Bradley, Brady, Brockway, Brown, Bruce, Burt, Buxton, Cannon, Carson, Chapman, Chase, Clark, Clarkson, Cole, Craig, Crist, Cronbaugh, Crow, Crozier, Daniels, Darrah, Dawson, DeWolf, Dixon, Doran, Downey, Dunlap, Dunnegan, Eggleston, Elliott, Elwood, Enger, Erickson, Farr, Fellows, Fraley, Francis, Garrett, Gates, Gillette, Goodwin,

Greene of Grundy, Greene of Clinton, Griffin, Griggs, Grout, Hadley, Halgrims, Halstead, Hansen, Hazen, Heald, Heaton, Helming, Hilsinger, Huff, Hunt, Huntley, Hutchins, Jacobs, Jacobson, Jamison, Jensen, Jewell, Jones of Montgomery, Jones of Dickinson, Kane, Kelso, Kingland, Klay, Koontz, Kulp, Larrabee of Webster, Larrabee of Fayette, Legel, Lenocker, LeRoy, Lounsberry, Lund, Malmberg, Manning, Mattes, McColl, McCullough, McHose, McManus, McVicker, Meredith, Miller, Milton, Mitchell, Munro, Neal, Newcomb, Nye, Odendahl, Perkins, Peterson, Pickford, Power, Quigley, Ream, Ring, Robinson, Rohwer, Rone, Saltzmann, Savage, Scholz, Schrup, Scott, Shankland, Sheean, Sherman, Sidey, Smith, Spaulding, Steelsmith, Stipe, Stokes, Stutt, Sullivan, Taylor, Thayer, Thomas, Thompson, Townsend, Trumbauer, Webb, Webber, White of Iowa, White of Benton, Whitney, Wilson of Clinton, Workman, Mr. Speaker—153.

Absent:

Boettger, Cowles, Doze, Hamilton, Wilson of Appanoose—5.

President Harding 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 21st, 1913, 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 21st, 1913, pertaining to the vote for United States Senator in Congress.

President Harding then announced that the roll would be called for the purpose of electing a Senator in Congress of the United States and appointed as teller on the part of the Senate, Senator Savage of Adair, and as assistant teller, Senator DeWolf of Black Hawk.

Speaker Cunningham appointed as teller on the part of the House, Representative Huff of Hardin, and as assistant teller, Representative Craig of Madison.

Upon the roll being called, those voting for W. S. Kenyon were:

Allen, Anderson of Montgomery, Anderson of Greene, Ames, Arney, Atkinson, Balkema, Barry, Bartle, Bernbrock, Bingham,

Blackford, Bliss, Boe, Brady, Brockway, Bruce, Burt, Buxton, Carson, Chapman, Chase, Cole, Craig, Crist, Cunningham, Daniels, Darrah, Dawson, Dixon, Doran, Elliott, Elwood, Enger, Erickson, Fellows, Fraley, Francis, Gates, Greene of Grundy, Griffin, Grout, Hadley, Halgrims, Heald, Heaton, Helming, Hilsinger, Huff, Hunt, Huntley, Hutchins, Jacobs, Jacobson, Jensen, Jewell, Jones of Montgomery, Jones of Dickinson, Kingland, Klay, Kulp, Larrabee of Webster, Larrabee of Fayette, LeRoy, Lounsberry, Lund, Malmberg, Manning, Mattes, McColl, McHose, McVicker, Meredith, Munro, Neal, Newcomb, Nye, Perkins, Peterson, Pickford, Power, Ring, Robinson, Rone, Savage, Shankland, Sherman, Smith, Spaulding, Stipe, Sullivan, Taylor, Thayer, Thomas, Webb, Whitney—96.

Those voting for D. W. Hamilton were:

Balluff, Bauman, Black, Bradley, Brown, Cannon, Clark, Clarkson, Cronbaugh, Crow, Crozier, DeWolf, Downey, Dunlap, Dunnegan, Eggleston, Farr, Garrett, Gillette, Goodwin, Greene of Clinton, Griggs, Halstead, Hansen, Hazen, Jamison, Kane, Kelso, Koontz, Legel, Lenocker, McCullough, McManus, Miller, Milton, Mitchell, Odendahl, Quigley, Ream, Rohwer, Saltzmann, Scholz, Schrup, Scott, Sheean, Sidey, Steelsmith, Stokes, Stutt, Thompson, Townsend, Trumbauer, Webber, White of Iowa, White of Benton, Wilson of Clinton, Workman—57.

Absent or not voting:

Boettger, Cowles, Doze, Hamilton, Wilson of Appanoose—5.

It thus being shown that W. S. Kenyon received a majority of all votes cast in the Senate on Tuesday, January 21, 1913, and a majority of all votes cast in the House, Tuesday, January 21, 1913, and a majority of all the votes cast in the joint convention of Wednesday, January 22, 1913, President Harding declared him duly elected as Senator in the Congress of the United States for the ensuing term of six years, commencing March 4, 1913.

The following certificate of election was signed in the presence of the joint convention:

STATE OF IOWA.

HALL OF THE HOUSE OF REPRESENTATIVES.

IN JOINT CONVENTION.

DES MOINES, IOWA, JANUARY 22, 1913.

This is to certify that at a joint convention of the two houses of the Thirty-fifth General Assembly of the State of Iowa, held in the hall of the House of Representatives on the 22nd day of January, 1913, for the purpose of electing a senator in the Congress of the United States, the Hon. William S. Kenyon, of Webster county, Iowa, having received a majority of all of the votes cast for said office, was declared duly elected for the ensuing term of six years, beginning March 4, 1913.

Signed in the presence of the joint convention this 22nd day of January, A. D., 1913.

W. L. HARDING,
President of the Senate and Joint Convention.

A. C. GUSTAFSON,
Clerk of the House and Joint Convention.

A. C. SAVAGE,
SHERMAN W. DEWOLF,
Tellers on the part of the Senate.

HERBERT A. HUFF,
W. F. CRAIG,
Tellers on the part of the House.

Ames of Tama moved that a committee of five consisting of two from the Senate and three from the House, be appointed to inform Senator Kenyon of his election and to invite him to appear before this joint convention.

Motion prevailed and President Harding appointed as that committee on the part of the Senate, Senators Ames of Tama and Clarkson of Monroe. Speaker Cunningham appointed as members of the committee on the part of the House, Brockway of Louisa, Lund of Hamilton and Koontz of Johnson.

Klay of Sioux offered the following resolution and asked unanimous consent that it be considered at this time:

Resolved, by the joint convention of the Thirty-fifth General Assembly, that Robert Henderson be and is hereby elected state printer for the term of two years, beginning January 1, 1915, and that J. M. Jamieson be and is hereby elected state binder for the term of two years, beginning January 1, 1915.

Consent was granted and the clerk called the roll.

On the question, "Shall the resolution be adopted by the joint convention?" those voting aye were:

Allen, Anderson of Montgomery, Anderson of Greene, Arney, Atkinson, Balkema, Barry, Bartle, Bauman, Bernbrock, Black, Blackford, Bliss, Boe, Bradley, Brady, Bruce, Burt, Buxton, Cannon, Carson, Chapman, Chase, Clark, Cole, Craig, Crist, Cronbaugh, Crow, Crozier, Daniels, Darrah, Dawson, Dixon, Doran, Downey, Dunlap, Dunnegan, Eggleston, Elliott, Elwood, Enger, Erickson, Farr, Fellows, Fraley, Francis, Garrett, Gates, Gillette, Goodwin, Greene of Grundy, Greene of Clinton, Griffin, Griggs, Grout, Hadley, Halgrims, Halstead, Hansen, Hazen, Heald, Heaton, Helming, Hilsinger, Huff, Hunt, Huntley, Hutchins, Jacobs, Jacobson, Jamison, Jensen, Jewell, Jones of Montgomery, Jones of Dickinson, Kane, Kelso, Kingland, Klay, Kulp, Larrabee of Webster, Larrabee of Fayette, Legel, LeRoy, Lounsberry, Malmberg, Manning, Mattes, McColl, McHose, McManus, McVicker, Meredith, Miller, Milton, Munro, Newcomb, Perkins, Peterson, Pickford, Power, Quigley, Ream, Ring, Robinson, Rohwer, Rone, Savage, Scholz, Scott, Shankland, Sheean, Sherman, Sidey, Smith, Spaulding, Steelsmith, Stipe, Stokes, Stutt, Sullivan, Taylor, Thayer, Thomas, Thompson, Townsend, Trumbauer, Webb, Webber, White of Iowa, White of Benton, Whitney, Workman, Mr. Speaker—135.

Nays:

None.

Absent or not voting:

Ames, Balluff, Bingham, Boettger, Brockway, Brown, Clarkson, Cowles, DeWolf, Doze, Hamilton, Koontz, Lenocker, Lund, McCullough Mitchell, Neal, Nye, Odendahl, Saltzmann, Schrup, Wilson of Appanoose, Wilson of Clinton—23.

President Harding announced that the resolution having received all of the votes cast, Robert Henderson was declared duly elected state printer and J. M. Jamieson was declared duly elected state binder, each for the term of two years, beginning January 1, 1915.

The following certificates of election were then signed in the presence of the joint convention:

STATE OF IOWA.

HALL OF THE HOUSE OF REPRESENTATIVES.

IN JOINT CONVENTION.

DES MOINES, IOWA, JANUARY 22, 1913.

This is to certify that at a joint convention of the two houses of the Thirty-fifth General Assembly of the State of Iowa, held in the hall of the House of Representatives on the 22nd day of January, 1913, for the purpose of electing a State Printer, Robert Henderson, of Pottawattamie county, having received a majority of all of the votes cast for said office, was declared duly elected for the ensuing term of two years, beginning January 1, 1915.

Signed in the presence of the joint convention this 22nd day of January, A. D., 1913.

W. L. HARDING,
President of the Senate and Joint Convention.
A. C. GUSTAFSON,
Clerk of the House and Joint Convention.

A. C. SAVAGE,
SHERMAN W. DEWOLF,
Tellers on the part of the Senate.

HERBERT A. HUFF,
W. F. CRAIG,
Tellers on the part of the House.

STATE OF IOWA.

HALL OF THE HOUSE OF REPRESENTATIVES.

IN JOINT CONVENTION.

DES MOINES, IOWA, JANUARY 22, 1913.

This is to certify that at a joint convention of the two houses of the Thirty-fifth General Assembly of the State of Iowa, held in the hall of the House of Representatives on the 22nd day of January, 1913, for the purpose of electing a State Binder, J. M. Jamieson, of Guthrie county, having received a majority of all of the votes cast for said office, was declared duly elected for the ensuing term of two years, beginning January 1, 1915.

Signed in the presence of the joint convention this 22nd day of January, A. D., 1913.

W. L. HARDING,
President of the Senate and Joint Convention.
A. C. GUSTAFSON,
Clerk of the House and Joint Convention.

A. C. SAVAGE,
SHERMAN W. DEWOLF,
Tellers on the part of the Senate.

HERBERT A. HUFF,
W. F. CRAIG,
Tellers on the part of the House.

The committee appointed to notify Senator Kenyon of his election returned, and Mr. Kenyon was escorted to the Speaker's station, and after being introduced by President Harding, made the following remarks:

MR. PRESIDENT AND GENTLEMEN OF THE JOINT ASSEMBLY—I have not come fifteen hundred miles for the purpose of making a speech, but merely to express to you my deep appreciation of the honor conferred and the confidence reposed in me by this election, and to return my heart-felt thanks to you and through you to the people of the State of Iowa.

Two years ago, upon a similar occasion, which it seems to me was marked by rather more deliberation than this election, I made the only pledge for that campaign on my part; and that was, to serve the people of this state to the best of my ability, regardless of faction, and regardless of politics. And I have tried faithfully to keep that pledge; and the pledge of the past is likewise my promise for the future: To serve the people of this state, regardless of politics, and I may say absolutely regardless of political party.

Partisanly narrow is he who refuses in legislative halls or in the halls of Congress, to vote for good measures, because forsooth they do not originate in his political party, or to vote against good measures because they may originate in the opposing party. Public welfare in this country is vastly more important than party welfare, and in the next four years, speaking for myself alone, I propose to do everything in my power to help make the administration of Mr. Wilson a success. (Applause.) I do not mean by that a partisan success, but a success where he stands for those things that make for human welfare and for human rights; that which brings about the greatest happiness to the greatest number. And when he is right upon those propositions, he is going to have my active support.

You men are engaged in a great work, as we are in Congress, and in the next few years are to be worked out great problems that will challenge the best thought of this nation; fortunate is that man who, even in a humble way, can be a part of this great work that is going forward in this nation for social and industrial justice. It may as well be recognized that there must be, and every thinking man must see it, a broader participation in the prosperity and industrial welfare of the land by the average every-day toiler; a larger share in the wealth which his labor creates; and in the halls of Congress, and in legislative assemblies, human rights and human welfare are to be the chief concern of legislation in the next few years.

Just one thing more: I want to make another pledge to the people of Iowa. It is true ofttimes in national politics and in the halls of Congress,

that men spend a part of their time in doing things to bring about their re-election. That is never true in state legislatures, but it is true in Congress; that is one of the baneful facts of our political life, and I want to say that I am going on in a course mapped out in my own mind, to fight a battle in legislative halls for human rights, for moral laws, for decency in our political affairs, against every species of graft and corruption, and for laws that will help the toiler of the nation, absolutely regardless of whatever effect it may have upon me in the future. (Applause.) I take no thought and shall take no thought for any political tomorrow. I had rather be in the Senate six years absolutely thoughtless of my future, than to be there twelve or eighteen years worrying about what may happen in political life.

I did not intend to make a speech. I intended to utter the sentiment of thanks in my heart. Having done that, I will not delay the proceedings longer.

The Journal of the joint convention was then read and approved.

Senator Webber of Wapello moved that the joint convention be dissolved.

Motion prevailed.

The Senate returned to the chamber and resumed its sitting.

Senator Balluff moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 23, 1913.

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

Prayer was offered by Rev. P. C. Nelson of Indianola, Iowa.

On request of Senator Webber, leave of absence was granted Senator Cowles for the day.

PETITIONS AND MEMORIALS.

Senator Jones presented a petition of citizens of Montgomery county asking for an appropriation of $50,000 to further the fight against hog cholera in the state.

Referred to committee on agriculture.

INTRODUCTION OF BILLS.

By Senator Nye, Senate File No. 42, a bill for an act to amend sections twenty-seven hundred and fifty-four (2754), twenty-eight hundred eight (2808), and twenty-eight hundred twelve-f (2812-f), supplement to the code, 1907, and sections twenty-seven hundred sixty (2760), twenty-seven hundred eighty (2780), and twenty-eight hundred eleven (2811), code 1897, and to repeal section twenty-eight hundred ten (2810), code 1897, and sections twenty-seven hundred fifty-seven (2757), twenty-seven hundred sixty-eight (2768), and twenty-seven hundred sixty-nine (2769), supplement to the code 1907, and to enact substitutes therefor, abolishing the office of school treasurer and providing that the county treasurer shall perform the duties of said officer.

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

By Senator Sheean, Senate File No. 43, a bill for an act appropriating the sum of five thousand (5,000) dollars, to indemnify

Allan W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa.

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

By Senator Sheean, Senate File No. 44, a bill for an act to fix the compensation of the wardens and of certain officers and employes of the reformatory at Anamosa and the state penitentiary at Fort Madison, and to enlarge the support fund of said institutions; repealing sections five thousand seven hundred and seventeen (5717) and five thousand seven hundred and eighteen (5718) of chapter two (2), title twenty-six (XXVI) of the code and the law as found in sections five thousand seven hundred and sixteen (5716) five thousand seven hundred and eighteen-a-twenty-eight (5718-a-28) chapter two (2), title twenty-six (XXVI) of the supplement to the code, 1907.

Read first and second time and referred to committee on penitentiaries and pardons.

By Senator Heald, Senate File No. 45, a bill for an act to establish legal weights and measures, to provide for the inspection of the same, to punish the keeping or use of false or incorrect weights and measures, to provide for statements of net weight, placing the enforcement in charge of the dairy and food department, and to repeal acts in conflict with this act.

Read first and second time and referred to committee on food and dairy.

By Senator Heald, Senate File No. 46, a bill for an act relating to the management and operation of paid fire departments providing for the division of all paid fire departments into two platoons limiting the hours of service of such employes and repealing all acts or parts of acts in conflict herewith.

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

By Senator Wilson of Clinton, Senate File No. 47.

A BILL FOR AN ACT to Legalize the Incorporation of the City of Camanche, Clinton County, Iowa, the Election of Its Officers and All Acts Done and Ordinances Passed by the City Council of Said City.

WHEREAS: Doubt exists as to the legality of the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers, official acts done, and the ordinances and resolutions passed by the city council of the said city; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. Incorporation, acts, ordinances and resolutions legalized—pending litigation.

That the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and all acts done and the ordinances and resolutions passed by the city council of said city, not in contravention of the laws of the state, are hereby legalized and the same are hereby declared to be valid and binding, the same as though the law had been, in all respects, strictly complied with in the incorporation of said city, the election of its officers, and all official acts done, and the passage of its ordinances and resolutions, provided that nothing in this act shall in any wise affect pending litigation.

SEC. 2. In effect. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Des Moines Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa, without expense to the state.

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

By Senator Wilson of Clinton, Senate File No. 48, a bill for an act to repeal the law as it appears in sections four hundred ten (410) and four hundred eleven (411) supplement to the code, 1907, and to enact a substitute therefor relating to the election, compensation, duties and terms of office of county supervisors.

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

By Senator McColl, Senate File No. 49, a bill for an act making appropriation to defray the expenses of the inaugural ceremonies.

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

By Senator Larrabee, Senate File No. 50, a bill for an act to amend section twenty-eight hundred twenty-three-a (2823-a) and section twenty-eight hundred twenty-three-I (2823-I) chapter fourteen-A (14-A), supplement to the code 1907.

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

By Senator Chase, Senate File No. 51, a bill for an act providing that all common carriers operating trains within the state of Iowa and conveying live stock shall provide a car equipped with sleeping berths or bunks for the persons in charge of such live stock, and providing a penalty for failure to comply therewith.

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

By Senator Chase, Senate File No. 52, a bill for an act requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for failure to comply therewith.

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

The President announced the following communication which was read:

STATE OF IOWA.

EXECUTIVE DEPARTMENT.

DES MOINES.

January 22, 1913.

Hon. W. L. Harding,
President of the Senate,
State House.

MY DEAR SIR:—I herewith transmit to you for such action as you may deem proper in bringing the matter before the Thirty-fifth General Assembly a certified copy of a joint resolution of Congress entitled, "Joint resolution proposing an amendment to the constitution, providing that senators shall be elected by the people of the several states."

Very truly yours,
G. W. CLARKE,
Governor.

No. 9590.

UNITED STATES OF AMERICA.

DEPARTMENT OF STATE.

To All to Whom These Presents Shall Come, Greeting:

I certify that the copy hereto attached is a true copy of a resolution of Congress, entitled, "Joint resolution proposing an amendment to the constitution, providing that senators shall be elected by the people of the several states," the original of which is on file in this department.

In testimony whereof, I. P. C. Knox, Secretary of State, have hereunto caused the seal of the Department of State to be affixed, and my name subscribed by the chief clerk of the said department, at the city of Washington, this seventeenth day of May, 1912.

P. C. KNOX,
Secretary of State.
BY WM. MCNEIR,
Chief Clerk.

(SEAL.)

HOUSE JOINT RESOLUTION NO. 39.

SIXTY-SECOND CONGRESS OF THE UNITED STATES OF AMERICA.

At the second session, begun and held at the city of Washington on Monday, the fourth day of December, one thousand nine hundred and eleven.

JOINT RESOLUTION.

Proposing An Amendment to the Constitution, Providing That Senators Shall Be Elected by the People of the Several States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), That in lieu of the first paragraph of section three of article I of the constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the legislatures of three-fourths of the states:

"The Senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

"When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies; Provided, That the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution."

CHAMP CLARK,
Speaker of the House of Representatives.

J. S. SHERMAN,
Vice President of the United States and President of the Senate..

I certify that this joint resolution originated in the House of Representatives.

SOUTH TRIMBLE,
Clerk.

The joint resolution was read and referred to the committee on constitutional amendments and suffrage.

Senator Larrabee asked the unanimous consent to withdraw Senate File No. 50 from further consideration by the Senate.

Consent granted.

Senate File No. 50 was withdrawn.

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

MR. PRESIDENT—Your committee on mileage begs leave to report that they find that Senator Quigley is entitled to sixty miles, or three dollars additional mileage.

P. M. JEWELL.

Adopted.

Senator Smith called up the resolution offered by him yesterday asking that a new committee on state normal schools be created, and moved that the resolution be adopted.

Resolution was read for information.

Senate Francis moved that the resolution be laid upon the table.

Motion carried.

So the resolution was laid on the table.

Senator Chase called up the resolution offered by him yesterday relative to civil war volunteers officers retired list bill, and moved its adoption.

Resolution was read for information.

Resolution was adopted.

The Journal of January 21st was taken up, corrected and approved.

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

Senator Schrup introduced the following resolution:

Resolved by the Senate, the House concurring, That a joint committee of three members of the Senate, to be appointed by the President, and three members of the House, to be appointed by the Speaker, to ascertain and report by what method economy and needed reform can be promoted in the printing and distribution of public documents.

Laid over under the rules.

Senator Francis moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 24, 1913.

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

Prayer was offered by Dr. Henry B. Burns of Sac City, Iowa.

On request of Senator Smith, leave of absence was granted Senator Jewell for today and tomorrow.

On request of Senator Webber, leave of absence was granted Senator Cowles for the day.

On request of Senator Chase, leave of absence was granted Senator Sullivan for the day.

PETITIONS AND MEMORIALS.

Senator Legel presented a petition of citizens of New Hampton to create an active state highway commission.

Referred to committee on highways.

Senator Wilson of Clinton presented a petition of citizens of Clinton county asking for an appropriation from the general funds a sum sufficient to equip the state veterinarian's department to fight cholera scourge.

Referred to committee on agriculture.

Senator Nye presented a petition of citizens of Grant township, Adams county, Iowa, relative to the practice of sending children of school age to high schools outside the limits of the rural school township at public expense.

Referred to committee on schools.

Senator Nye presented a petition of citizens of the school board of Nodaway township, Taylor county, Iowa, relative to taxing the people to pay tuition of rural graduates in high school.

Referred to committee on schools.

Senator Larrabee presented a petition of citizens of the Tenth district, Fort Dodge, Iowa, relative to public playgrounds.

Referred to committee on schools.

Senator Larrabee presented a petition of the women of Fort Dodge asking that the three state schools be maintained as they now are.

Referred to committee on schools.

Senator Crow presented a petition of citizens of Monona county asking for an appropriation to equip the state veterinarian's department to fight hog cholera.

Referred to committee on agriculture.

Senator Smith presented a petition of citizens of Shelby county favoring the passage of a law compelling fire insurance companies to charge a uniform rate for all classes of risks of the same kind under like conditions.

Referred to committee on insurance.

Senator Crow presented a petition of citizens of Monona county asking to have the road laws of Iowa changed so that land owners may work half of their road tax.

Referred to committee on highways.

Senator Crow presented a petition of citizens of Monona county asking to have section No. 2, chapter 100, of the laws of the Thirty-fourth General Assembly amended.

Referred to committee on agriculture.

Senator Doran presented a petition of citizens of Boone and Story counties asking for an appropriation from the general fund to equip the state veterinarian's department to fight hog cholera.

Referred to committee on agriculture.

INTRODUCTION OF BILLS.

By Senator Spaulding, Senate File No. 53, a bill for an act to amend the law as it appears in chapter sixty-four (64), acts of the Thirty-third General Assembly, relating to the government of certain cities.

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

By Senator Dunnegan, Senate File No. 54, a bill for an act to establish and maintain an elementary state normal school for the eduction and preparation of teachers for the common schools of Iowa, and providing for the transfer of certain property to the state of Iowa for the use of said school.

Read first and second time.

Senator Dunnegan moved that the bill be referred to committee on schools.

Senator Mattes moved to amend the motion by referring the bill to committee on educational institutions.

Senator Savage moved that the motion and amendment be laid on the table.

Motion to lay on the table was lost.

Senator Chase offered the following amendment: "I move as an amendment by way of substitute that the bill be referred to such committee as the chair may order."

President declared the substitute amendment out of order.

The bill was then read for information.

On the adoption of the amendment of Senator Mattes to the motion of Senator Dunnegan, a roll call was demanded.

Those favoring the amendment were:

Allen, Ames, Arney, Boe, Clarkson, Darrah, DeWolf, Fellows, Francis, Gates, Heald, Hilsinger, Jones, Larrabee, Malmberg, Mattes, Neal, Perkins, Savage, Schrup, Spaulding, Webber—22.

The nays were:

Chase, Crow, Doran, Dunnegan, Farr, Garrett, Gillette, Legel, McColl, McManus, Nye, Quigley, Ream, Robinson, Sheean, Smith, Taylor, Thomas, White, Wilson of Clinton—20.

Absent or not voting:

Balkema, Balluff, Cowles, Crist, Goodwin, Jewell, Sullivan, Wilson of Appanoose—8.

So the amendment was adopted.

On the motion as amended a roll call was demanded.

Those favoring the motion were:

Clarkson, Francis, Heald, Hilsinger, Jones, Larrabee, Malmberg, Mattes, Perkins, Spaulding, Webber—11.

The nays were:

Allen, Ames, Arney, Boe, Chase, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gates Gillette, Legel, McColl, McManus, Neal, Quigley, Ream, Robinson, Savage, Sheean, Smith, Taylor, Thomas, White—29.

Absent or not voting:

Balluff, Cowles, DeWolf, Goodwin, Jewell, Nye, Schrup, Sullivan, Wilson of Appanoose, Wilson of Clinton—10.

So the motion as amended was lost.

The President then referred Senate File No. 54 to committee on schools.

INTRODUCTION OF BILLS.

By Senator Neal, Senate File No. 55, a bill for an act to repeal chapter one hundred and forty-six (146) of the acts of the Thirty-fourth General Assembly, relating to high school tuition, and to enact a substitute therefor.

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

By Senator Taylor, Senate File No. 56, a bill for an act to amend chapter one hundred (100) section two (2) and section five (5) of the laws of the Thirty-fourth General Assembly regulating the granting of certificates of soundness of stock offered for sale or public service.

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

By Senator Heald, Senate File No. 57, a bill for an act to authorize the location, use and construction of lines for the transmission of electric current or energy and the erection of the poles, wires, insulators, towers and other necessary construction therefor and the procuring of and making compensation for the right of way for said transmission line.

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

By Senator Balkema, Senate File No. 58, a bill for an act providing for the sanitation of bakeries, canneries, packing houses, slaughter houses, dairies, creameries, cheese factories, confectioneries, restaurants, hotels, groceries, meat markets, and all other food producing establishments, manufactories, or other places where food is prepared, manufactured, packed, stored, sold or distributed, and vehicles in which food is placed for transportation; regulating the health of operatives, employes, clerks, drivers and all other persons working on the premises who handle the material from which food is prepared or the finished product; defining food, regulating the wholesomeness of food manufactured, prepared, packed, stored, sold, distributed or transported; defining the duties of the state dairy and food commissioner in relation thereto; providing penalties for the violation thereof, and repealing acts in conflict therewith.

Read first and second time and referred to committee on food and dairy.

By Senator Balkema, Senate File No. 59, a bill for an act enlarging the duties of the Iowa State Board of Health, increasing the annual appropriation for the same, providing compensation for the additional work enjoined, and repealing section two thousand five hundred and seventy-five (2575) of the code and enacting a substitute therefor and additional to chapter sixteen (16), title thirteen (13) of the code relating to the state board of health.

Read first and second time and referred to committee on public health.

By Senator Balkema, by request, Senate File No. 60, a bill for an act creating a state highway commission an a highway engineering department, outlining the powers and duties of said commission and department, establishing the office of state highway engineer, and providing for the distribution of state aid for permanent highway improvement.

Read first and second time and referred to committee on roads and highways.

By Senator Larrabee, by request, Senate File No. 61, a bill for an act to provide additional funds for the Soldiers' Home, the Industrial School for Boys, the Industrial School for Girls, the state penitentiary and the reformatory.

Read first and second time and referred to committee on board of control.

By Senator Malmberg, Senate File No. 62, a bill for an act to amend section sixteen hundred and seventeen (1617) of the code, relative to filing notices of dissolution by corporations.

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

By Senator Malmberg, Senate File No. 63, a bill for an act to amend section three thousand four hundred forty-seven (3447) of the code, relating to the limitation of actions.

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

By Senator Malmberg, Senate File No. 64, a bill for an act to amend section 3340 of the code relative to the examination of the owner of claims against estates.

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

By Senator Perkins, Senate File No. 65, a bill for an act to establish an industrial reformatory for women, to make appropriation therefor, to provide for the transfer of inmates to and from the Industrial School for Girls, and repealing the law as it appears in chapter eight-A (8-A) of title thirteen (XIII) of the

supplement to the code, 1907, relating to an industrial reformatory for females.

Read first and second time and referred to committee on board of control.

By Senator Ames, Senate Joint Resolution No. 4.

JOINT RESOLUTION.

Proposing Amendments to the Constitution of the State of Iowa, Authorizing the General Assembly to Provide for the Exclusive Taxation of Classes of Property for State Revenue Purposes.

Be It Resolved by the Thirty-fifth General Assembly of the State of Iowa:

That the following amendments to the Constitution of the State of Iowa be and the same are hereby proposed and referred to the Thirty-sixth General Assembly:

First: Amend article three (3) of said constitution by adding thereto as section thirty-nine (39) thereof the following:

"SEC. 39. The General Assembly may provide by statute for the exclusive taxation of such classes of property as it may deem proper, for the purpose of providing revenue for state purposes. Property thus selected by the legislature for exclusive taxation for state purposes, and so taxed, shall not be otherwise taxed by any subdivision of the state. or municipality, for general purposes."

Second: And amend section two (2) of article eight (8) of said constitution so that the same will read as follows:

"The property of all corporations for pecuniary profit shall be subject to taxation the same as that of individuals, except when the same is taxed exclusively for state purposes."

Read first and second time and referred to committee on constitutional amendments.

Senator Francis offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That, WHEREAS: A bill, entitled "An act granting to the Des Moines River Power Company right to construct and maintain for the improvement and development of water power, fourteen dams across the Des Moines river below Des Moines, Iowa," is now pending in the Congress of the United States; and,

WHEREAS: Said act grants to said Des Moines River Power Company an absolute monopoly of water power rights along the Des Moines river, and by its terms binds us and our descendants for three generations; and,

WHEREAS: Full development is not required for nine years after the passage of said act, thus tying up and retarding development of water rights of inestimable value with only partial present development; and,

WHEREAS: The water power rights granted by this proposed measure extend for seventy-five years from the passage of the act; and,

WHEREAS: No exclusive monopoly of the kind and character here granted should be given to any person or company for any such period of time.

Now, therefore, and for the reasons above stated, we express our disapproval of said bill and respectfully call said measure to the attention of our senators and representatives in Congress and ask that they give same their careful consideration should said measure come before the Congress, and urge upon our senators and representatives in Congress that in our judgment said proposed act is unwise and injudicious; and grants rights which should be withheld for the benefit of the people, and respectfully request our said senators and representatives to use their influence against its passage.

Be it further resolved, That copies of this resolution duly authenticated be sent to each of our representatives in Congress.

Laid over under the rules.

Senator Schrup called up for consideration concurrent resolution relating to the appointment of a joint committee to ascertain and report needed reform in the printing and distribution of public documents, and moved it adoption.

Senator Allen moved that the resolution be referred to committee on printing.

Carried.

So the resolution was referred to committee on printing.

The President announced the following communication, which was ordered printed in the Journal:

STATE OF IOWA.

EXECUTIVE DEPARTMENT.

DES MOINES.

Hon. W. L. Harding,
President of the Senate.

DEAR SIR—I herewith transmit to you the report of the Secretary of the Iowa State Board of Health for consideration by the Senate.

Very respectfully yours,

G. W. CLARKE,
Governor.
JANUARY 23, 1913.

To His Excellency, the Governor of Iowa, and to the Honorable President and Members of the Senate of the Thirty-fifth General Assembly of the State of Iowa, Now Assembled:

GENTLEMEN—As the Secretary of the Iowa State Board of Health, I desire to submit to your honorable body a report made to the Iowa State Board of Health, herewith attached.

It is earnestly requested that it be carefully considered by your honorable body.

Very respectfully,
GUILFORD H. SUMNER,
(SEAL.) *Secretary.*
JANUARY 21, 1913.

To the Members of the Iowa State Board of Health:

I wish to submit a report upon the condition of the water supply of the city of Des Moines, examination of which has been made by myself and assisted by Prof. C. N. Kinney, State Chemist of the Board of Health, and Prof L. S. Ross, Assistant State Bacteriologist.

We find the same to be potable and safe to use for drinking and other purposes. In view of the fact that two years ago the water was reported in a bad condition, I deem it wise that you submit this statement to both branches of the legislature now in session in order that they may know its true condition.

I deem it also best to state in this connection that there is no meat, milk or food inspection in the city of Des Moines, and consequently great care should be exercised in the use of meats, unless they are thoroughly cooked, and milk which should either be pasteurized or should come from cattle which have been tested and known to be free from tuberculosis.

The above suggestions are most respectfully submitted for the approval of the Board and the careful consideration of the members of the legislature during the present session of the Thirty-fifth General Assembly.

Very respectfully,

G. A. HUNTOON,
Member Seventh Health District.

(SEAL.)

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have examined and find correctly enrolled Senate Joint Resolution No. 1.

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

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on enrolled bills respectfully report that they have examined and find correctly enrolled Senate Joint Resolution No. 1.

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

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

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

Senator Thomas offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the use of the House Chamber be granted the representative of the Panama-Pacific International Exposition, San Francisco, California, on Monday evening,

February 3, 1913, for the purpose of giving a free illustrated lecture on the grounds, buildings, scope and plans of this great International Exposition, to which lecture the members of the General Assembly and all other citizens are invited.

Laid over under the rules.

Senator Ames moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 25, 1913.

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

Prayer was offered by Rev. John L. Hillman of Des Moines, Iowa.

On request of Senator Crist, leave of absence was granted Senator Thomas for the day.

On request of Senator Ames, leave of absence was granted Senator Sullivan for the day.

PETITIONS AND MEMORIALS.

Senator Savage presented a petition of citizens of Madison county, who oppose the movement to revolutionize the tax system of the state.

Referred to committee on ways and means.

Senator Smith presented a petition of citizens of Shelby county to have section 4597 amended.

Referred to committee on judiciary.

Senator Wilson of Clinton presented a petition of citizens of Deep Creek township, Clinton county, Iowa, urging the passage of a law appropriating money to establish a plant for the manufacture of hog cholera serum.

Referred to committee on agriculture.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House refuses to concur in Senate amendment to House resolution relative to furnishing Codes to the representatives of the Press.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House Concurrent Resolution relative to furnishing Codes and Code Supplements to various officers of the Thirty-fifth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate Concurrent Resolution relative to printing list of standing committees.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Darrah, by request, Senate File No. 66, a bill for an act to amend the law as it appears in sections twenty-five hundred and five (2505) and twenty-five hundred and eight (2508) of the supplement to the code, 1907, in reference to the inspection of petroleum products.

Read first and second time and referred to committee on public health.

By Senator Darrah, Senate File No. 67, a bill for an act to provide state aid to consolidated schools equipped with two or more rooms and making an appropriation therefor.

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

By Senator Robinson, Senate File No. 68, a bill for an act creating a commission and to erect a state office building, procuring necessary grounds adjacent to the capitol for the same, and for an appropriation therefor.

Read first and second time and referred to committee on public buildings.

By Senator Ream, Senate File No. 69, a bill for an act to abolish certain school boards and the office of school treasurer, and to provide for the control and management of the schools by the township trustees, and to make the township the unit of organization, and to provide for the performance of the duties of school treasurer by the county treasurer.

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

By Senator Savage, Senate File No. 70, a bill for an act to establish a department of public instruction, and to amend section ten hundred and sixty-five (1065) of the supplement to the code, 1907, and to repeal chapter one (1) of title thirteen (13) of the code, and to repeal chapter one (1) of title thirteen (13) of the supplement to the code, 1907, as amended, relative to the office of superintendent of public instruction, and to enact a substitute therefor, and to make the superintendent of public instruction ex-officio, a member of the state board of education.

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

By Senator Balkema, Senate File No. 71, a bill for an act to repeal chapter one hundred fifty-two (152) of the acts of the Thirty-fourth (34th) General Assembly, and to enact a substitute therefor relating to the conveyance of real estate by executor, administrator, trustee, guardian, referee, or commissioner.

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

By Senator Boe, Senate File No. 72, a bill for an act to repeal sections two (2), four (4), and nine (9), of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth General Assem-

bly, and to enact substitutes therefor, relating to the training of teachers for rural schools and making appropriation therefor.

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

By Senator Arney, Senate File No. 73, a bill for an act to amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code, 1907, in regard to the qualifications of certain officers of the Soldiers' Home.

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

By Senator Arney, Senate File No. 74, a bill for an act to repeal twenty-six hundred six (2606) of the supplement to the code and to enact a substitute therefor relating to admissions to the soldiers' home.

Read first and second time and referred to committee on board of control and its institutions.

By Senator Arney, Senate File No. 75, a bill for an act to repeal chapter one hundred sixty-six (166) of the acts of the Thirty-third General Assembly, and to enact a substitute therefor relating to payments for their support by members of the soldiers' home.

Read first and second time and referred to committee on board of control and its institutions.

By Senator Arney, Senate File No. 76, a bill for an act to amend section twenty-six hundred eight (2608) of the supplement to the code 1907, and establish a minimum monthly allowance for the support of the soldiers' home.

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

By Senator Malmberg, Senate File No. 77, a bill for an act to amend section one thousand six hundred and fourteen (1614) of the code relative to corporations for pecuniary profit.

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

By Senator Perkins, Senate File No. 78, a bill for an act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the state dairy and food commissioner in relation thereto.

Read first and second time and referred to committee on food and dairy.

By Senator Larrabee, Senate File No. 79, a bill for an act to amend section twenty-eight hundred twenty-three-a (2823-a) and to amend section twenty-eight hundred twenty-three-1 (2823-1) supplement to the code, 1907, relative to the attendance of children of a certain age in public schools.

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

Senator Crow offered the following resolution and moved its adoption:

RESOLUTION.

WHEREAS: The glad tidings have just come across the sea that the bill granting home rule to the Irish people passed the House of Commons; and,

WHEREAS: The struggle of the Irish people to achieve the right of self-government has enlisted the sympathy of patriots in all lands and particularly those of America, the home of so many millions of Irishmen and their descendants; therefore,

Be it resolved, That the Senate hereby extend to the Irish people and the champions of their cause in the British House of Commons, its sincere and earnest congratulations in their splendid victory for local self-government and triumph of a patriotic cause; and,

Be it further resolved, That the chief clerk of this Senate transmit a copy of these resolutions to the Secretary of the British House of Commons.

Adopted.

By Senator Chase, Senate File No. 80, a bill for an act to pension the survivors of the Spirit Lake relief expedition of 1857.

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

By Senator Chase, Senate File No. 81.

RELEASES OF MORTGAGES AND DEEDS OF TRUST LEGALIZED.

An Action to Legalize Releases and Satisfactions of Mortgages and Deeds of Trust.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. *Releases Legalized*: That all releases or satisfactions of mortgages or deeds of trust or other instruments in writing creating liens upon real estate, where such releases or satisfactions have been recorded in the recorder's office of any county of this state for more than ten years, and were made by any corporation, individual, partnership, assignee; or by a resident or foreign executor, administrator, referee, receiver, trustee, guardian or commissioner, be and all such releases and satisfactions are hereby legalized and declared valid, legal and binding and of full force and effect.

SEC. 2. *Pending Litigation*: This act shall not affect the rights of parties in any action or suit now pending in any court of this state, nor shall it apply to or affect any release or satisfaction that has heretofore been passed upon by any court of this state and determined unauthorized, insufficient or invalid.

SEC. 3. *In Effect*: 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 Capital, newspapers published at Des Moines, Iowa.

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

By Senator Chase, by request, Senate File No. 82, a bill for an act to provide additional chairs in the College of Homeopathic Medicine of the State University of Iowa, additional to chapter one hundred sixty-eight (168) of the acts of the Sixteenth General Assembly.

Read first and second time and referred to committee on educational institutions.

By Senator Chase, Senate File No. 83, a bill for an act amending section three thousand one hundred and forty-seven (3147) of the code, relating to the time for making return of solemnization of marriage.

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

REPORTS OF COMMITTEES.

Senator Savage, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred Senate File No. four, a bill for an act relating to bonded indebtedness of school corporations and providing for the payment thereof, and repealing section 2813, Supplement to the Code, 1907, and all other acts or parts of acts in conflict with this act, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 4.

A BILL FOR AN ACT Relating to Bonded Indebtedness of School Corporations and Providing for the Payment Thereof, and Repealing Section Twenty-eight Hundred and Thirteen (2813) of the Supplement to the Code, 1907, and All Other Acts or Parts of Acts in Conflict With This Act.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. The board of each school corporation shall, when estimating and certifying the amount of money required for general school purposes, estimate and certify to the board of supervisors of the proper county, the amount required to pay interest due or that becomes due for the year beginning January first thereafter, upon lawful bonded indebtedness, and in addition thereto such amount as the board may deem necessary to establish a sinking fund to pay the principal at maturity or for the payment thereof at such time as the contract provides therefor; but the estimated amount and certificate therefor, for any one year, to apply on the principal of such bond or bonds shall not exceed five (5) mills on the dollar of the assessed valuation of the taxable property of the school corporation.

SEC. 2. The board of supervisors of the county to which the certificate is addressed within the contemplation of this act shall levy the necessary tax to raise the amount estimated, or so much thereof as may be lawful and within the limitation of this act, which levy shall be made as other taxes for school purposes.

SEC. 3. This act shall apply to estimates heretofore made, certificates furnished, or taxes levied, together with such as may hereafter be made, furnished or levied for the purposes contemplated by this act.

SEC. 4. Section twenty-eight hundred and thirteen (2813) of the Supple[illegible] ment to the Code, 1907, and all other acts or parts of acts in conf[illegible] with this act, are hereby repealed.

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.

A. C. SAVAGE,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Mattes, 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 making appropriation to defray the expenses of the inaugural ceremonies, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Adopted.

THIRD READING OF BILLS.

On motion of Senator McColl, Senate File No. 49, a bill for an act making appropriation to defray the expenses of the inaugural ceremonies was taken up and considered.

The bill was read for information.

Senator McColl 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Doe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Francis, Garrett, Gates, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, [illegible]mberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, [illegible]am, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, [illegible] White, Wilson of Clinton—42.

Absent or not voting:

DeWolf, Fellows, Goodwin, Jewell, Sullivan, Thomas, Webber, Wilson of Appanoose—8.

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

Journal of yesterday was taken up, corrected and approved.

Senator Francis called up the resolution offered by Senator Thomas yesterday, relative to the use of the House chamber for the lecture on the Panama Exposition, and moved its adoption.

Resolution was adopted.

HOUSE MESSAGES CONSIDERED.

HOUSE CONCURRENT RESOLUTION.

Be it resolved by the House of Representatives, the Senate concurring, That copies of the Code of Iowa, together with the Supplement and Session Laws, be given to the assistant secretaries of the Senate and also to the assistant clerk, the reading clerk, the journal clerks of the House.

Passed on file.

Senate concurrent resolution relative to printing 1,000 copies of standing committees of the House and Senate.

Passed on file.

House concurrent resolution relative to furnishing representatives of the press with a code, supplement and session laws.

Passed on file.

Senator Balluff moved that the Senate do now adjourn until 10 o'clock A. M., Monday.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 27, 1913.

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

Prayer was offered by the Rev. Charles M. Edmondson of Diagonal, Iowa.

PETITIONS AND MEMORIALS.

Senator McColl presented a petition of citizens of Audubon county relative to permanently establishing at the State University of Iowa a high grade technical college.

Referred to committee on Educational Institutions.

Senator McColl presented a petition of citizens of Audubon county relative to re-instating the surgical chairs that were abolished from the College of Homeopathic Medicine in the State University by the board of education.

Referred to committee on Public Health.

Senator Gillette presented a petition of citizens of Plymouth county relative to amending section 2, chapter 100, of the laws of the Thirty-fourth General Assembly.

Referred to committee on Agriculture.

Senator Allen presented a petition of the members of the Buena Vista County Farmers' Institute, asking an appropriation to be used for the purpose of indemnifying owners of live stock for animals found to be diseased.

Referred to committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Malmberg, Senate File No. 84.

A BILL FOR AN ACT to Legalize a Special Election Held in the City of Carroll, Iowa, at Which Was Submitted the Question of Granting a Franchise for the Establishment of Gas Works and the Use of the Streets, Alleys and Public Grounds of Said City in Connection Therewith; and to Legalize An Ordinance Passed by the City Council of Said City Granting Said Franchise; and Legalizing All Acts of Said City, and Its Council, in Connection With the Grant of the Same.

WHEREAS: At a special election for that purpose held in the city of Carroll, State of Iowa, on the 7th day of August, 1911, the qualified electors of said city did vote in favor of granting to C. I. Tenney, his successors and assigns, a franchise to establish, maintain, and operate gas works in said city for the manufacture, sale and distribution of gas for illuminating and other purposes, and to use the streets, alleys and public grounds of said city for such purposes, with certain rights, duties and powers. All as set forth in a proposed ordinance then on file in the office of the city clerk of said city; and,

WHEREAS: The city council of said city did subsequently adopt and publish said ordinance granting said franchise to said C. I. Tenney, his successors and assigns, for the purposes before mentioned; and,

WHEREAS: In the giving of the notice required for said special election, and the publication of the same, and in the ballots used at said election, there were certain irregularities and omissions as to the manner and the time of the giving of said notice of election, and the publication of the same; and in the statement upon the ballot of the proposed measure to be voted upon in a general way, and not in detail as set out in the proposed ordinance; and,

WHEREAS: The ordinance granting said franchise was not regularly read at three separate meetings of the city council, nor on three different days, and the provisions of the statute allowing ordinances to be read three times and passed at the same meeting of the city council were not properly observed and dispensed with; and,

WHEREAS: It appears that at said special election a large majority of the electors who voted thereat favored the granting of said franchise and, relying upon the vote of the electors of said city at said special election, and upon the action of the city council of said city in passing and adopting said ordinance, The Citizens Gas Company of Carroll, Iowa, a corporation, became the owner of the said franchise and has invested a large sum of money in the erection of a gas plant in said city; and,

WHEREAS: Doubts have arisen as to the validity of said franchise and of the proceedings connected with the grant of the same, because of the

irregularities, defects and omissions in the notice of said special election; the sufficiency of the statement upon the ballot of the proposed measure to be voted upon at said election; and the passage and adoption of the said ordinance by the city council of said city; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the special election held in the city of Carroll, Iowa, on the 7th day of August, 1911, at which was submitted the question of granting to C. I. Tenney, his successors and assigns, a franchise to establish, maintain and operate gas works in said city, for the manufacture, sale and distribution of gas for illuminating and other purposes, and to use the streets, alleys and public grounds of said city for such purposes, be, and the same is hereby legalized and declared to be valid with the same force and effect as though the notice of said election, the statement upon the ballot of the proposed measure to be voted thereat, and all other essential things had been done, in all particulars in strict compliance with the laws of this state relating thereto. And the city ordinance passed, adopted and published subsequent to said election granting said franchise to C. I. Tenney, his successors and assigns, be, and the same is hereby legalized and declared to be a valid ordinance of said city, the same as though said ordinance had been passed, adopted and published by the city council in the manner provided by law, and as though all the provisions of the law of this state relating to the passage, adoption and publication of city ordinances had been duly and fully observed with reference thereto. And all the acts of said city and its council in connection with the grant of said franchise, be, and the same are hereby legalized, as though all provisions of the law of this state pertaining thereto had been duly and fully observed.

SEC. 2. Nothing in this act shall in any way affect any pending litigation concerning the subject matter hereof.

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, a newspaper published at Des Moines, Iowa, and the Carroll Herald, a newspaper published at Carroll, Iowa, without expense to the state.

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

By Senator Arney, Senate File No. 85, a bill for an act to amend section seven hundred and ninety-three (793) of the code relating to street improvements, sewers and special assessments.

Read first and second time and referred to committee on Cities and Towns.

By Senator Crow, Senate File No. 86.

A BILL FOR AN ACT to Legalize Certain Warrants of the City of Onawa, Iowa.

WHEREAS: The City of Onawa, in the county of Monona, State of Iowa, did hitherto make expenditure in the amount of ten thousand six hundred and seventy-four dollars and forty-one cents ($10,674.41); and,

WHEREAS: Said city of Onawa issued warrants in the sum of ten thousand six hundred and seventy-four dollars and forty-one cents ($10,674.41)) to evidence the indebtedness incurred in making said expenditures; and,

WHEREAS: Said warrants did not when issued and do not now exceed the constitutional limitation on indebtedness; and,

WHEREAS: Said expenditures were all made for purposes authorized by law ;and,

WHEREAS: The city of Onawa has been and is now enjoying the use and benefit of said expenditures; and,

WHEREAS: The result of said expenditures were and are well worth the price which the city of Onawa contracted should be paid therefor; and,

WHEREAS: Doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the ground that the aforesaid expenditures, or a portion thereof, were contracted in excess of the city's authorized annual revenue; and,

WHEREAS: Doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the ground that aforesaid expenditures, or a portion thereof, were not provided for in the city's annual appropriations; and,

WHEREAS: Doubts have arisen concerning the legality of aforesaid warrants, or a portion thereof, on the ground that the indebtedness which said warrants evidence, was contracted in excess of the statutory limitations on indebtedness; and,

WHEREAS: Doubts have arisen concerning the legality of one or more of said warrants, on the ground that said warrants violated the rule that no warrant shall exceed the sum of five hundred dollars ($500.00); now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the acts of the city council of the city of Onawa, in the county of Monona, State of Iowa, in making expenditures for the city of Onawa and issuing warrants therefor in the sum of ten thousand

six hundred and seventy-four dollars and forty-one cents ($10,674.41), be and the same are hereby legalized, as though the law had in all respects been complied with.

SEC. 2. The aforesaid warrants of the city of Onawa, in the sum of ten thousand six hundred and seventy-four dollars and forty-one cents ($10,674.41) be and the same are hereby legalized and declared to be valid, legal and subsisting obligations, the same as though the law had in all respects been complied with.

SEC. 3. Nothing in this act shall 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, a newspaper published at Des Moines, Iowa, without expense to the state.

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

By Senator Robinson, Senate Joint Resolution No. 5.

A Joint Resolution Proposing An Amendment to the Constitution of the State of Iowa, Repealing Section Seven (7) of Article Two (2) of Said Constitution and Proposing a Substitute Therefor, Relating to and Providing for the Time of Holding General Elections.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the following amendment to the constitution of the State of Iowa be and the same is hereby proposed:

To repeal section seven (7) of article two (2) of the constitution of Iowa, and to adopt in lieu thereof the following, to-wit:

"The general election for state, district, county and township officers, in years in which presidential electors are elected, shall be held on the day fixed by the laws of the United States for the election of presidential electors and in the same corresponding month on the same corresponding day thereof, in other even numbered years."

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

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

THIRD READING OF BILLS.

On motion of Senator Clarkson, Senate File No. 4, a bill for an act to amend section twenty-eight hundred thirteen (2813), supplement to the code 1907, relating to certifying estimates and levying taxes therefor in school districts for the payment of principal and interest of bonded indebtedness, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Substitute bill was read for information.

Senator Clarkson moved that substitute be adopted.

Carried.

Senator Clarkson offered the following amendment and moved its adoption:

"I move to amend section three (3) of the bill by adding thereto the following: "but this act shall not apply to pending litigation."

Adopted.

Senator Balkema moved that further consideration of the bill be postponed until Wednesday.

Senator Farr moved to amend the motion by making the bill a special order Wednesday at 11 o'clock.

Carried.

The motion as amended prevailed, and the bill was made a special order for Wednesday, January 29th, at 11 o'clock A. M.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 1, Joint Resolution relating to the selection of additional employes of the Thirty-fifth General Assembly, fixing their compensation and defining their duties.

JNO. H. TAYLOR,
Chairman.

Adopted.

The Journal of Saturday, January 25th, was taken up, corrected and approved.

INTRODUCTION OF BILLS.

By Senator Francis, Senate File No. 87, a bill for an act amending the law as it appears in section twenty-five hundred seventy-eight (2578) of the 1907 supplement to the code relating to revocation of physicians' certificates and defining unprofessional conduct.

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

By Senator Francis, Senate File No. 88, a bill for an act amending chapter one hundred thirty-five (135) of the acts of the Thirty-third General Assembly relating to lien upon progeny of stallions.

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

By Senator DeWolf, Senate File No. 89, a bill for an act to encourage the dairy and beef cattle growing industries of the state of Iowa, and to aid in providing instruction in practical and scientific methods and making an appropriation therefor.

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

On request of Senator Smith, leave of absence was granted Senator Jewell on account of sickness.

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

CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring, That a joint convention of the two houses of the Thirty-fifth General Assembly be held in the House chamber, Tuesday, January twenty-eighth, at 11:30 o'clock a. m., to listen to a short address by Mrs. Grace Wilbur Trout, president of the State Federation of Women's Clubs of Illinois.

Adopted.

Senator Clarkson, from the committee appointed to examine applicants for committee clerkships, submitted the following report:

We, your committee appointed to examine and test the qualifications for committee clerks, beg leave to report that we have examined the following named person and find her qualified for the position:

Rose Polfuss.....Senator Legel

JOHN T. CLARKSON,
Chairman.

Adopted.

Senator Francis moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 28, 1913.

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

Prayer was offered by the Rev. Chas. J. Shutt of Des Moines, Iowa.

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

On request of Senator Neal, leave of absence was granted Senator Taylor for today and tomorrow.

Senator James M. Wilson of Appanoose county appeared before the bar of the Senate and was duly sworn and subscribed to the oath of office, as required by law.

Senator Clarkson, from the committee on examination of applicants for committee clerkships, submitted the following report, and moved its adoption:

Your committee appointed to examine and test qualification of applicants for committee clerks, beg leave to report that we have examined the following named person and find her qualified for the position referred to:

Mrs. Elizabeth Newlen.....Senator Goodwin

JOHN T. CLARKSON,
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 Concurrent Resolution, in which the concurrence of the Senate is asked:

House Concurrent Resolution memorializing Congress in regard to the Kenyon-Shepard bill.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate Concurrent Resolution memorializing Congress in regard to the Volunteers Officers' Retired List.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate Concurrent Resolution relative to a lecture on the Panama-Pacific Exposition.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate Concurrent Resolution relative to holding a joint convention Tuesday, January 28.

A. C. GUSTAFSON,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Wilson of Clinton presented a petition of citizens of Iowa requesting the enactment of a law requiring all schools in Iowa to teach complete citizenship to all youths that when they come to vote they may guard against crooked political practice.

Referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Balluff, Senate File No. 90, a bill for an act authorizing the recording of transcripts from recorder's office of

instruments affecting real estate. (Additional to chapter 6, title 14 of the code relating to conveyance of real estate.)

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

By Senator Crist, Senate File No. 91, a bill for an act repealing section six hundred ninety-four-a (694-a) of the 1907 supplement to the code of Iowa, relating to the authority of cities and towns to appropriate money to pay for a membership in the League of Iowa Municipalities.

Read first and second time and referred to committee on Cities and Towns.

By Senator Cowles, Senate File No. 92, a bill for an act authorizing the giving of annuities to disabled and retired public school teachers of all rural and urban public schools, creating a fund from which to pay such annuities and providing for the distribution thereof, creating a board of trustees to care for such annuity fund and prescribing their powers and duties. And authorizing the retiring from service of public school teachers under certain conditions.

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

By Senator Heald, Senate File No. 93, a bill for an act giving school boards in certain districts authority to use school grounds as public recreation and playgrounds and providing for the levy of separate tax for the support of same and authorizing cities within such districts to appropriate money for the same purpose. Additional to chapter fourteen (14) title thirteen (XIII) of the code.

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

By Senator Heald, Senate File No. 94, a bill for an act to amend section two hundred twenty-seven (227) of the supplement to the code 1907, relating to the division of the state into judicial districts, and increasing the number of district judges in the eighteenth district.

Read first and second time and referred to committee on Congressional and Judicial Districts.

By Senator Nye, Senate File No. 95.

A BILL FOR AN ACT to Legalize the Incorporation of the Town of Sharpsburg, Taylor County, Iowa, the Election of Its Officers, the Passage and Records of Its Ordinances and Resolutions, and All Acts Done by the Council of Said Town.

WHEREAS: Doubts have arisen as to the legality of the incorporation of the town of Sharpsburg, Taylor county, Iowa, the election of its officers, the passage of its ordinances and resolutions, the signing of the same by the mayor and the record thereof;

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the incorporation of the town of Sharpsburg, Taylor county, Iowa, the election of its officers, the passage of its resolutions and ordinances, the signing of the same by the mayor or the lack thereof, and all the official acts done by said town council not in contravention with the laws of the state, are hereby legalized and the same are declared to be valid and binding the same as though the law had in all respects been strictly complied with in the incorporation of said town, the election of its officers, and all official acts done by said council, the proper signing and record thereof, or the lack of same. But nothing in this act shall in any manner affect pending litigation.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Capital and Register and Leader, newspapers published at Des Moines, Iowa, without expense to the state.

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

By Senator Nye, Senate File No. 96, a bill for an act to amend section seven hundred ninety-two-b (792-b) of the supplement to the code 1907, in relation to the payment of deficiencies in assessments for street improvements and sewers.

Read first and second time and referred to committee on Cities and Towns.

By Senator Nye, Senate File No. 97, a bill for an act to amend section twenty-five hundred seventy-five-a-15 (2575-a-15) of the 1907 supplement to the code relating to the reporting of deaths by assessors.

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

By Senator Sullivan, Senate File No. 98, a bill for an act to enable minors between the ages of sixteen (16) and twenty-one (21) years to contract for life, health or accident insurance.

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

By Senator Sullivan, Senate File No. 99, a bill for an act amending section seven hundred ninety-two (792) of the code of 1897, relating to street improvements.

Read first and second time and referred to committee on Cities and Towns.

By Senator Sullivan, Senate File No. 100.

A BILL FOR AN ACT to Legalize the Election of the City of Des Moines, Iowa, Held on the 26th Day of March, 1906, in Favor of Providing Flood Protection, As Well As to Legalize All Acts Done and Resolutions Passed and Contracts Entered Into by the City Council of the City of Des Moines for the Improvement of the Channels of the Des Moines and Racoon Rivers to Protect Lots, Lands and Property Within Said City from Floods and High Water.

Be It Enacted:

WHEREAS: On the fourteenth (14th) day of March, 1906, the twenty-third (23d) of April, 1911, and the fifteenth (15th) day of July, 1912, the city council of the city of Des Moines passed certain resolutions of necessity, numbers twenty-two hundred ninety-three (2293), three hundred ninety-three (393) and fifteen hundred sixty-one (1561), respectively, for the improvement of the channels of the Des Moines and Racoon rivers to protect lots, lands and property within said city from floods and high water; and,

WHEREAS: The records of the proceedings of said council as said records appear in the office of the city clerk, fail to show that notice of said resolutions of necessity was given by two publications in each daily newspaper of general circulation published in said city as provided by section eight hundred forty-nine-c (849-c) of the Supplement ot the Code, 1907; and,

WHEREAS: Owing to the failure of the record of the proceedings of said city council, as said records appear in the office of said clerk, to show the publication of said notice in all of said newspapers for the

time and in the manner provided by said section eight hundred forty-nine-c (849-c) of the Supplement to the Code, 1907, doubts have arisen as to the legality of the election held in said city of Des Moines on the twenty-sixth (26th) day of March, 1906, on the question of providing such flood protection and the levy of a special tax therefor, and as to the legality of the official acts of the council and officers of said city thereunder and of the levy of the special tax for said improvement and the bonds ordered issued and sold in anticipation of the collection of said tax; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. Election and proceedings legalized. That the vote of the electors and the election held in the city of Des Moines on the twenty-sixth (26th) day of March, 1906, on the question of improving the channels of the Des Moines and Racoon rivers to protect lots, lands and property within said city from floods and high water, and the levy of a special tax therefor, and all acts and proceedings of the city council of the city of Des Moines, and all resolutions of necessity and all contracts entered into for the improvement of the channels of the Des Moines and Racoon rivers to protect lots, lands and property within said city from floods and high water and the special tax levied therefor, and the resolutions and proceedings for the issuing and sale of bonds in anticipation of the collection of said special tax be and the same are hereby legalized and declared as valid as if all of the provisions of chapter eight-a (8-a), title five (V) of the Supplement to the Code, 1907, relating to the protection of city property from floods, and acts amendatory thereof, had been fully complied with in the giving of notice and manner of giving notice of proposed resolutions of necessity of such improvement, and all acts and proceedings of said city council with respect to said flood protection and the contracts entered into therefor, including special taxes levied and the resolutions providing for the sale of bonds in anticipation of the collection of said special tax are hereby ratified, confirmed and legalized in all respects and are hereby declared to be valid and binding, the same as though the law had been fully complied with in the passage of resolutions of necessity, the giving of notice therefor, the election held thereunder and all official acts done with respect to said improvement.

SEC. 2. Pending litigation. Nothing in this act shall in any manner affect any pending litigation.

SEC. 3. In effect. This act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in the Register and Leader and Des Moines Capital, newspapers published at Des Moines, Iowa, both publications to be without expense to the state.

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

By Senator Webber, Senate File No. 101, a bill for an act to regulate and supervise the business of banking by individuals, partnerships or unincorporated persons.

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

By Senator Doran, Senate File No. 102, a bill for an act defining the number of employes necessary to constitute a full crew for railroad trains and yard service, providing a limit for the number of cars constituting a train and providing penalties for the violation thereof.

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

By Senator Farr, Senate File No. 103, a bill for an act to amend the law as it appears in section one (1) chapter thirty-seven (37) of the laws of the Thirty-fourth (34th) General Assembly of Iowa, relating to smoke nuisances in certain cities.

Read first and second time and referred to committee on Cities and Towns.

By Senator Farr, Senate File No. 104, a bill for an act to amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850) supplement to the code of 1907 relating to the investment of funds by savings banks.

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

By Senator Perkins, Senate File No. 105, a bill for an act to create a law and legislative reference and bill drafting department of the state library; providing for a director and subordinate officers and employes thereof; prescribing the duties and fixing the salaries thereof, and making an additional appropriation therefor.

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

By Senator Perkins, Senate File No. 106, a bill for an act to amend section eighteen (18) of chapter one hundred and seventy

(170) of the acts of the Thirty-third (33rd) General Assembly relative to the powers and duties of the state board of education and the finance committee of said board of education.

Read first and second time and referred to committee on Educational Institutions.

By Senator Perkins, Senate File No. 107, a bill for an act to amend the law as it appears in section ten hundred and seventy-six (1076) of the code relating to the registration of voters in cities.

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

By Senator Arney, Senate File No. 108, a bill for an act to amend the law as it appears in section ten hundred and fifty-six-a-twelve (1056-a-12) of the supplement to the code, 1907, relating to municipal accounting of cities and towns.

Read first and second time and referred to committee on Cities and Towns.

By Senator Arney, Senate File No. 109, a bill for an act to amend the law as it appears in section ten hundred and fifty-six-a-eleven (1056-a-11) of the supplement to the code, 1907, relating to municipal accounting of cities and towns.

Read first and second time and referred to committee on Cities and Towns.

By Senator Arney, Senate File No. 110, a bill for an act to amend the law as it appears in section ten hundred and fifty-six-a-nine (1056-a-9) of the supplement to the code, 1907, relating to municipal accounting of cities and towns.

Read first and second time and referred to committee on Cities and Towns.

Senators DeWolf and Spaulding introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That the attention of the Iowa State Board of Education is respectfully called to the following:

First. That since the action of the State Board of Education ordering the removal of Domestic Science from the State College at Ames to the State University at Iowa City; the elimination of Engineering from the State University and centering the same at the State College at Ames and the discontinuance of the last two years of the work at the Teachers College a Cedar Falls, there has arisen much opposition to such action of the State Board on the part of the people of Iowa, and many educators and persons of wide experience and devotion to the educational interests of Iowa have expressed the opinion that the Board erred in its action and that the effects of such action will be injurious to the several institutions and the cause of education in Iowa;

Second. That grave doubts also have arisen as to the legality and constitutionality of the action of the Board and many legal authorities of a character to command respect and consideration have expressed opinions holding that such action on the part of the Board is without legal authority and in some particulars is in conflict with the organic law of the state;

Third. That if the General Assembly should adjourn without action and later the courts should hold that the action of the Board was illegal and without constitutional authority, these several colleges and departments affected by the action of the Board would be without financial support for the ensuing two years and on that account would be demoralized and irreparably injured; therefore,

Be it further resolved by the Senate, the House concurring, That the Iowa State Board of Education be advised and is respectfully requested to rescind its action of October 8, 1912, as cited above, relative to such colleges and departments of the three institutions, and to so amend its budgets and recommendations to the governor and to this General Assembly as will give to such colleges and departments such support as they would have received if such action had not been taken.

Senator Francis moved that the resolution be referred to the committee on Educational Institutions.

Motion carried.

So the resolution was referred to committee on Educational Institutions.

Senator Webber introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring, That, WHEREAS: Doubt has arisen as to the wisdom of the action of the State Board of

Education in its purposed changes affecting the State University, the State Agricultural College, and the State Teachers College, wherein it is sought to center graduate courses in engineering at the State Agricultural College, and at the same time remove the same from the State University; and,

WHEREAS: It is proposed to remove from the State Agricultural College, the Home Economics department and center the same at the State University; and,

WHEREAS: It is proposed to remove from the State Teachers College the graduate teachers courses; therefore,

Be it resolved, That the General Assembly ask of the Board of Education, that it rescind its order heretofore made and as above outlined, and that when the same has been so rescinded that the proper committees of the Senate and the House, be by this resolution instructed to draft a bill wherein any unnecessary duplication of courses, between the institutions named, will be eliminated, and in which the field and purposes of the respective institutions will be defined and outlined, and under which rivalry may be removed, as far as possible, and under which we may make the State University a great university, in all the name implies, the State Agricultural College the greatest agricultural college in the country, and the State Teachers College the greatest training school for teachers in the United States, and in which there will be no conflict, with the constitution or laws, under which the State University was provided for and organized, and under which there will be nothing at the State Agricultural College which will conflict with the Morrill Law of July 2, 1862, under which the State of Iowa accepted the land grant for the purposes of establishing the State Agricultural College, and in which its duties and purposes were outlined and under which there will be nothing at the State Teachers College to conflict with making it, what was intended by the laws under which the same was organized, the greatest teachers' training college in the United States.

Be it further resolved, That it is not the sense of this body to criticise the action of the Board of Education, whom we recognize as unselfish and as trying to do a thing that will be for the best interests of the future students of Iowa, but in as much as doubt has arisen as to the wisdom of some of the changes suggested and their authority to make them under the law, we deem it wise that the order be rescinded and that when so done a law be made outlining the field and defining the purposs of their respective institutions, and under which unnecessary duplication of courses and rivalry will be eliminated, and under which there will be no conflict with the law, either national or state, and under which the respective institutions may, to the best advantage, serve the purposes for which they were intended.

Referred to committee on Educational Institutions.

INTRODUCTION OF BILLS.

By Senator Chase, Senate File No. 111, a bill for on act providing for an expression of opinion on the question of suffrage at the next general election.

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

HOUSE MESSAGE CONSIDERED.

Senate concurrent resolution memorializing congress in regard to the Volunteers Officers' retired list.

Passed on file.

Senate concurrent resolution relative to a lecture on the Panama-Pacific Exposition.

Passed on file.

Senate concurrent resolution relative to holding a joint convention Tuesday, January 28.

Passed on file.

House concurrent resolution memorializing congress in regard to the Kenyon-Shepard bill in the congress of the United States.

CONCURRENT RESOLUTION.

Concurrent Resolution Memorializing Congress to Pass the Kenyon-Shepard Bill, Relating to the Interstate Transportation of Intoxicating Liquors.

WHEREAS: For a number of years last past the sale of intoxicating liquors as a beverage has been prohibited by law in a large number of the cities and counties of the State of Iowa; and,

WHEREAS: Under the protection of the commerce clause of the federal constitution a large quantity of liquor is shipped from without the state to points within the state and disposed of in violation of law; and,

WHEREAS: These interstate shipments of liquor and the illegal disposition of the same result in drunkenness, prosecutions, expensive litigation, the commission of crime and the pauperizing of individuals and families; now, therefore,

Be it resolved by the House of Representatives of the State of Iowa, the Senate concurring, That the Congress of the United States be and it is hereby memorialized to pass the Kenyon-Shepard bill now pending before Congress, looking to the correction of these evils, and that the representatives in Congress and the United States senators from Iowa be and they are hereby requested to use all honorable means to secure the passage of said act; and,

Resolved, further, That a copy of this resolution be forwarded by the secretary of the Senate and the clerk of the House to the speaker of the House and the president of the Senate of the United States, and to the representatives in Congress from Iowa, and to the president of the United States.

Senator Thomas asked unanimous consent to consider at this time the House concurrent resolution relative to the Kenyon-Shepard bill pending in the congress of the United States, and moved that the Senate concur in the resolution.

Concurrent resolution was read for information.

Senator Sheean moved that the resolution be referred to the committee on Suppression of Intemperance.

On the motion a roll call was demanded.

Those favoring the motion were:

Ames, Balluff, Cowles, DeWolf, Dunnegan, Farr, Gillette, Hilsinger, Malmberg, McManus, Quigley, Ream, Savage, Schrup, Sheean, Webber, White, Wilson of Clinton—18.

The nays were:

Arney, Balkema, Chase, Clarkson, Crist, Crow, Darrah, Doran, Fellows, Francis, Gates, Jones, Larrabee, Legel, Mattes, McColl, Neal, Nye, Perkins, Robinson, Smith, Spaulding, Sullivan, Thomas, Wilson of Appanoose—25.

Absent or not voting:

Allen, Boe, Garrett, Goodwin, Heald, Jewell, Taylor—7.

So the motion to refer to the committee on Suppression of Intemperance was lost.

Senator Francis moved that further consideration of the resolution be postponed and that it be made a special order for Thursday at 11 o'clock A. M.

Motion carried.

REPORT OF COMMITTEE.

Senator Sullivan, 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. 18, a bill for an act to amend section nine hundred thirty-seven (937) of the Code, relating to the filling of vacancies in the office of alderman in cities under special charter, beg leave to report they have had the same under consideration and recommend the same be amended by striking out section one (1) and substituting in lieu thereof the following:

"SECTION 1. That section nine hundred thirty-seven (937) of the Code be and the same is hereby amended by adding thereto the following: 'Vacancies in the office of alderman shall be filled by the remaining members of the council of said city. The vacancy shall be filled within thirty days after the same has occurred at a regular or special meeting and a majority vote of the remaining members of the city council shall be necessary to fill the same;'" and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Senator Nye, chairman of the committee on Claims, submitted the following report, and moved its adoption:

Your committee on Claims, to whom was referred Senate File No. 33, by Senator Spaulding, beg leave to report this is a bill for amending section 1989-a-12 of the Supplement to the Code, and should, in the judgment of the committee, be referred to the Judiciary committee and we recommend that it be so referred.

A. D. NYE,
Chairman.

Adopted.

So the bill was referred to the committee on Judiciary.

Senator Clarkson moved that 2,000 additional copies of Senate File No. 3 be printed.

Carried.

Senator Cowles moved that one thousand (1,000) additional copies of Senate File No. 92 be printed.

Carried.

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

President Harding announced the following communication, which was ordered printed in the Journal:

Hon. W. L. Harding,

Lieutenant Governor.

I desire to express my sincere regrets at my inability to have been present at the opening sessions of the Senate, and desire to profer the request that the record should show that, had I been present at the taking of the vote for United States Senator, on the 21st day of January, 1913, my vote would have been cast for Hon. W. S. Kenyon for United States Senator. Yours respectfully,

J. M. WILSON.

President announced that the Senate would be at ease subject to the call of the president.

The Senate was at ease.

President called the Senate to order at 11:30.

Senator Doran moved that 500 additonal copies of Senate File No. 7 be printed.

Carried.

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

Senate proceeded to the House under the direction of the sergeant-at-arms.

JOINT CONVENTION.

The joint convention was called to order by Lieutenant Governor Harding, president of the Senate, at 11:30 o'clock A. M.

The roll was called and the following responded as present:

Allen, Anderson of Montgomery, Anderson of Greene, Arney, Balkema, Barry, Bartle, Bauman, Bernbrock, Bingham, Black, Blackford, Bliss, Bradley, Brady, Brockway, Brown, Bruce, Burt, Buxton, Cannon, Carson, Chapman, Clark, Cole, Crist, Cronbaugh, Crozier, Daniels, Dawson, Dixon, Doran, Downey, Doze, Dunlap,

Dunnegan, Eggleston, Elliott, Elwood, Enger, Erickson, Fellows, Fralay, Gates, Gillette, Greene of Grundy, Greene of Clinton, Griffin, Grout, Hadley, Halgrims, Halstead, Hansen, Hazen, Heaton, Helming, Huff, Hunt, Huntley, Hutchins, Jacobs, Jacobson, Jamison, Jensen, Jones of Montgomery, Jones of Dickinson, Kane, Kelso, Kingland, Klay, Koontz, Larrabee of Webster, Larrabee of Fayette, LeRoy, Lounsberry, Lund, Malmberg, Manning, McCullough, McHose, McManus, McVicker, Meredith, Miller, Milton, Mitchell, Munro, Neal, Newcomb, Nye, Odendahl, Perkins, Peterson, Pickford, Power, Ream, Ring, Robinson, Rohwer, Rone, Savage, Scholz, Schrup, Sherman, Smith, Spaulding, Steelsmith, Stipe, Stokes, Stutt, Sullivan, Thayer, Thomas, Thompson, Townsend, Trumbauer, Webb, White of Iowa, White of Benton, Workman, Mr. Speaker—121.

Those absent were:

Ames, Atkinson, Balluff, Boe, Boettger, Chase, Clarkson, Cowles, Craig, Crow, Darrah, DeWolf, Farr, Francis, Garrett, Goodwin, Griggs, Hamilton, Heald, Hilsinger, Jewell, Kulp, Legel, Lenocker, Mattes, McColl, Quigley, Saltzmann, Scott, Shankland, Sheean, Sidey, Taylor, Webber, Whitney, Wilson of Appanoose, Wilson of Clinton—37.

President Harding announced the joint convention duly organized, with a quorum of members present.

President Harding introduced Mrs. Trout, president of the Illinois Women Suffrage Association, who addressed the joint convention as follows:

MEMBERS OF THE IOWA LEGISLATURE—You have a great many things in Iowa to be proud of, and you have a splendidly governed city here in Des Moines, but it has always seemed strange that Iowa, so progressive and so intelligent, seemingly—I know because I am a native of Iowa—should have been so slow about granting equal suffrage to its women. The explanation, however, is simple. We are so much like that profound looking gentleman, who when asked the source of his seeming tremendous wisdom, said: "Sometimes I sit and think and think and think, and sometimes I only sit." Alas! too many of us only sit; sit in darkness, surrounded by old prejudices and old ideas, and never brush them aside and let in the light.

Some good natured, thoughtless people say they would be willing to grant equal suffrage to women when all the women asked for it.

As a matter of record, a larger proportion of women have already asked for the ballot than of any class of men who have ever been granted the franchise, but the masses of the people seldom ask for things. We are, as a class, conservative, fearful and perhaps a little lazy, and we would rather drift along old ways than to make the effort to turn aside into new and better ones.

It is often stated that women's place is in the home. No one denies it. And no stronger suffrage argument was ever uttered. There is nothing in the world a woman loves so much as her home, unless, perhaps, it is the man who with her helps to make that home. Then, why in the name of common sense and of justice is she not given the power to help protect that home? And the only weapons that can be used for that purpose in a democratic form of government, is the ballot.

We women in asking for the ballot, do not want to take away any rights from the men, but we know that we could help them and give so much better and more valuable service to our state and to our nation, and to our homes if they would give to us the ballot. It is only a case of reciprocity, after all.

Some people object to equal suffrage because they claim women should not vote because they cannot go to war. It is unnecessary, perhaps, to state what a certain general said not long ago—"If all of the men who are physically unable and who do not or cannot go to war, were disfranchised, our polling places would be as lonesome as a sea-bathing resort in December."

Putting all this aside, if every man in the country could go to war, we women do not want to go to war, but we do not want to be forced to send to war our fathers, our brothers, our husbands, our sons, those who are far dearer to us than our own lives. We do not want to be forced to send them away by government in which we have no voice.

Some people object to equal suffrage because they fear that if women were allowed to handle that dangerous piece of paper called a "ballot," they would grow coarse and masculine. because they would be associated in such a horrible and degrading way with men. Still women ride in our cars and in our autos every day, side by side with men, and seem to enjoy it. They work in our stores, teach in our schools, side by side with men. They go to church, side by side with men. They even live under the same roof with men, and yet this constant asscoiation has failed to make them either coarse or masculine. But, voting is, of course, different.

Some people are opposed to equal suffrage because they fear the so-called bad women's vote. As a matter of record in the states and countries where women can vote today, very few of these poor women of the underworld want to register and let their names and places of residence be publicly known. Then they constitute such a

small proportion of all the women. They constitute a fractional part of one per cent of the women of Denver. They constitute about that same percentage of the women of Chicago. Some say, however, bad men vote. Then why not bad women? Those who have studied the situation claim that many of these poor women—thirty-three and one-third per cent of whom commit suicide every year—under the privacy and protection of the Australian ballot system, as an atonement, perhaps, and with the hope of saving other women a fate like their own, would vote for good men and good government. Some of us are willing to trust them, for no amount of sin, disease and suffering can ever entirely obliterate a spark of divine in either man or woman.

Some say, however, they object to equal suffrage because they claim that women might grow quarrelsome and inharmonious if they were given the ballot, because they lack the perfect self-control of man. This argument is unanswerable. We all know the perfect harmony that has prevailed in our political world during the recent presidential campaign. Some of our political leaders today emulate the "lion and the lamb" of the prophecy, and "lie down together." At least they accuse each other of doing so. Women might possibly draw their own conclusions from such inspiring examples. Many people condemn the English suffragists for demanding their freedom in a rather forceful way. How much better, instead of condemning, it would be to deplore the conditions that make the present situation in England possible. We must not forget in looking at this English problem that the English women who are today struggling for their liberty, are the daughters of Englishmen who resorted to similar methods, not in the far distant past, in order that English men might be free.

With eighty thousand young girls, thousands upon thousands of them sacrificed every year in a horrible and atrocious white-slave traffic—with industrial conditions in many places that cripple and destroy human life, with human woe and human suffering on every side, shall woman, the mother of the race, remain forever silent? No, a thousand times, no. For she knows that back of all of this misery, all of this disease and suffering, there is a cause, and that cause directly or indirectly is a sin. And what causes a large preponderance of the sin of the world? The double moral standard for men and for women, and no amount of medical science, no religion, no philosophy of any kind, can save the world until men and women stand equal in the sight of man, as they do in the sight of God, and we have common political and common moral standard for women and for men. But old rotten beliefs falling to pieces—thank God—from their own corruption, cry out to us, "this is impossible." Men and women are so different. Men are intellectually stronger than women, but women are morally stronger than men. If men are today intellectually stronger than women, it is not because they are naturally or inherently stronger, but because they have had centuries of opportunity and education denied to women. And, if women today are morally stronger than men—and it is quoted to prove this,

that less than five per cent of all the criminals are women—but if this is so, it is not because they are naturally or inherently better, but because the world has for centuries demanded higher moral standards of the women than it has of men. But, what right has the world to establish this double moral standard?

It is absolutely impossible for men and women to be fundamentally different. They must have similar hopes; similar aspirations; similar ideas of purity. For every man is just as nearly related to his mother as to his father, and every woman is just as nearly related to her father as she is to her mother, and we are all children of the one Infinite Father.

Lack of equal suffrage is a menace and a danger to the growth and permanent prosperity of any nation. Granting equal suffrage will not bring the millenium, not all at once. Women are not angels. Think how homesick they would be if they were. But in a government of the people, by the people, for the people, people can be translated only as fair-minded men and women, and many of our greatest men have stood for qual suffrage. Lincoln said, "I go for all the people, sharing the privileges of this government, to assist in bearing its burdens, by no means excluding women." Good never can come out of evil, and we are never going to be even approaching towards permanent better conditions while we have a fundamental wrong at the core of our government. Equal suffrage is the next step forward.

It does not really matter so far as ultimate results are concerned whether or not I believe in equal suffrage, because it is coming anyway. But it does matter to us individually whether or not the right or wrong side of any great vital moral can be within every suffrage state. With Montana, South Dakota and New York just passing suffrage amendments, with a world-wide interest in this movement everywhere, why should Iowa wait until the very last minute to jump into the "band wagon?" Why does not Iowa make history today that it will be proud to point to in the years that are to come? Why does not Iowa, this great state of Iowa, lead the way, and be the first state bordering the great Father of Waters, to grant equal suffrage to women?

Senate returned to the Senate chamber and resumed its sitting.

Senator Cowles moved that Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 29, 1913.

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

Prayer was offered by Rev. J. W. Neyman of Bedford, Iowa.

PETITIONS AND MEMORIALS.

Senator Hilsinger presented a petition of citizens of Iowa asking to repeal that part of the fish and game law whereby the fish license law is expressly made to apply to navigable boundary rivers of the state of Iowa.

Referred to committee on Fish and Game.

Senator Webber presented a resolution made by the members of the Ottumwa Commercial Association favoring the one mill levy for permanent road purposes in Iowa; same to be expended under the direction of a permanent highway commission.

Referred to committee on Roads and Highways.

Senator Wilson of Clinton presented a petition of the members of the agricultural committee of the Clinton Commercial Club, urging the legislature not to approve the action of the state board of education recommending that the course in domestic science be discontinued at the Iowa State College of Agriculture and Mechanic Arts.

Referred to committee on Educational Institutions.

INTRODUCTION OF BILLS.

By Senator Webber, Senate File No. 112, a bill for an act to authorize loan and trust companies and state and savings banks to act as receiver or trustee of any trust, and as administrator,

executor or guardian, or in any other fiduciary capacity, and to authorize loan and trust companies to transact the banking business, and to amend section sixteen hundred eleven (1611) of the code relating to corporations.

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

By Senator Crist, Senate File No. 113, a bill for an act to amend section one (1) chapter one hundred forty-six (146) of the acts of the Thirty-fourth General Assembly, relating to the payment of tuition of pupils attending high school located in other districts.

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

By Senator Crist, by request, Senate File No. 114, a bill for an act to amend section four hundred fifty-eight-c (458-c) of the supplement to the code, 1907, and chapter thirty-two (32) of the acts of the Thirty-third General Assembly, relating to the payment of claims for injuries to domestic animals.

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

By Senator Legel, Senate File No. 115, a bill for an act to amend section thirty-five hundred thirty-four (3534) of the code, relative to serving notice in the matter of quieting title to real estate.

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

By Senator Mattes, Senate File No. 116, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, School for the Deaf, Institution for Feeble-minded Children, sanatorium for the treatment of tuberculosis, industrial schools, state hospitals, penitentiary, reformatory, for the purchase of land, and for a state institution for epileptics.

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

By Senator Smith, Senate File No. 117, a bill for an act to amend section ten hundred eighty-seven A-4 (1087 A-4) of supplement to the code of 1907, as amended by section 1 of chapter 58 of the acts of the Thirty-fourth General Assembly in relation to the time of holding primary elections.

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

By Senator DeWolf, Senate File No. 118, a bill for an act to confer additional powers upon trust companies and to prescribe the conditions under which they may transact business.

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

By Senator Arney, Senate File No. 119, a bill for an act to require foreign corporations owning, controlling, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant or street railway located within the state of Iowa, or the business of such works, plants or railways or owning or controlling stock in any corporation owning, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant or street railway located in whole or in part within the state of Iowa or the business of such plants or railways to comply with the laws governing the issuance of capital stock of domestic corporations and the making of reports by domestic corporations and to require said foreign corporations to obtain a permit to transact business within the state of Iowa, and conferring upon courts of equity jurisdiction to dissolve and terminate corporations, works, plants or business violating this act and providing penalties for violations of this act.

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

By Senator Arney, Senate File No. 120.

A BILL FOR AN ACT to Legalize Certain Warrants of the City of Marshalltown, Iowa.

WHEREAS: The city of Marshalltown, county of Marshall, State of Iowa, did hitherto make expenditures in the amount of thirty thousand dollars ($30,000); and,

WHEREAS: Said city of Marshalltown issued warrants in the sum of thirty thousand dollars ($30,000) to evidence the indebtedness incurred in making said expenditures; and,

WHEREAS: Said warrants did not when issued and do not now exceed the constitutional limitation of indebtedness; and,

WHEREAS: Said expenditures were all made for purposes authorized by law; and,

WHEREAS: The city of Marshalltown has been and now is enjoying the use and benefit of said expenditures; and,

WHEREAS: The results of said expenditures were well worth the price which the city of Marshalltown contracted should be paid there for; and,

WHEREAS: Doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the ground that the aforesaid expenditures, or a portion thereof, were contracted in excess of the city's authorized annual revenues; and,

WHEREAS: Doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the ground that aforesaid expenditures, or a portion thereof, were not provided for in the city's annual appropriations; and,

WHEREAS: Doubts have arisen concerning the legality of aforesaid warrants, or a portion thereof, on the ground that the indebtedness which said warrants evidence, was contracted in excess of the statutory limitation of indebtedness; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. Acts legalized. That the acts of the city council of the city of Marshalltown, in the county of Marshall, State of Iowa, in making expenditures for the city of Marshalltown and issuing warrants therefor in the sum of thirty thousand dollars ($30,000) be and the same are hereby legalized, as though the law had in all respects been complied with.

SEC. 2. Warrants legalized. The aforesaid warrants of the city of Marshalltown, in the sum of thirty thousand dollars ($30,000) be and the same are hereby legalized and declared to be valid, legal and subsisting obligations, the same as though the law had in all respects been complied with.

SEC. 3. Pending litigation. Nothing in this act shall affect any pending litigation.

SEC. 4. In effect. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader, a newspaper published at Des Moines, Iowa, and the Times Republican, a newspaper published at Marshalltown, Iowa, without expense to the state.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 22, a bill for an act to repeal Sec. 3165 of the Code, and to enact a substitute in lieu thereof, relating to liability for family expenses.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Thomas, Senate File No. 121, a bill for an act to amend the law as it appears in chapter one hundred forty-two (142) acts of the Thirty-third (33d) General Assembly, relating to the number of persons to whom city or town councils may, by resolution, grant consent to sell intoxicating liquors and making the same apply to cities acting under special charter.

Read first and second time.

Senator Thomas moved the bill be referred to committee on Judiciary.

Senator Balluff moved that the motion be amended to refer the bill to committee on Suppression of Intemperance.

The amendment was adopted.

The motion as amended prevailed, and the bill was referred to committee on Suppression of Intemperance.

HOUSE MESSAGE CONSIDERED.

House File No. 22, a bill for an act to repeal section three thousand one hundred sixty-five (3165) of the code, and to enact a substitute in lieu thereof, relating to liability for family expenses.

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

THIRD READING OF BILLS.

On motion of Senator Balluff, Senate File No. 18, a bill for an act to amend section nine hundred thirty-seven (937) of the code, relating to the filling of vacancies in the office of alderman in cities under special charter, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Balluff moved the adoption of the following amendment, recommended by the committee:

Amend by striking out section one (1) and substituting in lieu thereof the following:

"Section 1. That section nine hundred thirty-seven (937) of the code be and the same is hereby amended by adding thereto the following: 'Vacancies in the office of alderman shall be filled by the remaining members of the council of said city. The vacancy shall be filled within thirty days after the same has occurred at a regular or special meeting and a majority vote of the remaining members of the city council shall be necessary to fill the same.'"

Adopted.

The bill as amended was read for information.

Senator Balluff moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gates, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—45.

Absent or not voting:

Boe, Goodwin, Jewell, Neal, Taylor—5.

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

REPORT OF COMMITTEE.

Senator McColl, from the committee on Banks, submitted the following report:

MR. PRESIDENT—Your committee on Banks, to whom was referred Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the code, relating to investment of money and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Judiciary.

A. M. MCCOLL,
Chairman.

Adopted.

So the bill was referred to the committee on Judiciary.

Senator Crow called up House concurrent resolution relative to furnishing codes, code supplements and session laws to representatives of the press who have seats in the press gallery.

Senator Crow moved that the Senate insist on its amendments and asked for a conference committee.

Carried.

The president announced as such conference committee on the part of the Senate, Senators Crow, Larrabee, Sullivan and Schrup.

Senator Doran moved that five hundred (500) additional copies of Senate File No. 102 be printed.

Carried.

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

The president announced that the Senate would be at ease, subject to the call of the president.

Senate was at ease.

Senate called to order at 11 o'clock A. M.

THIRD READING OF BILLS.

The time having arrived, the Senate took up for consideration special order on substitute for Senate File No. 4, a bill for an act to amend section twenty-eight hundred thirteen (2813), supplement to the code, 1907, relating to certifying estimates and levying taxes therefor in school districts for the payment of principal and interest of bonded indebtedness.

Senator Clarkson moved that the substitute be adopted.

Carried.

President Pro Tem Savage was called to the chair.

Senator Balkema offered the following amendment and moved its adoption: "I move to amend section 1 by changing the word 'assessed' in the eleventh line as it appears in the Journal, to 'actual.'"

President Harding resumed the chair.

The amendment was adopted.

Senator Clarkson offered the following amendment and moved its adoption: "I move to amend the pending bill by striking out the word 'contract' as the same appears in line 8, section 1, as printed in Senate Journal, page 201, and substitute therefor the word 'bond.'"

Adopted.

Senator Clarkson 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gates, Gillette, Hilsinger, Jones, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—41.

Absent or not voting:

Boe, Cowles, Goodwin, Heald, Jewell, Legel, Ream, Schrup, Taylor—9.

Senator Clarkson offered the following amendment to the title of the bill and moved its adoption:

"I move to amend the title by striking out the word 'and' following the word 'thereof' in the second line."

Adopted.

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

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

President Pro Tem Savage was called to the chair.

President Harding resumed the chair.

The following named committee clerks appeared before the bar of the Senate, on the respective dates as shown below, and were duly sworn:

J. E. Tharnish, Jan. 21.....Senator Smith
Marion L. Glines, Jan. 21.....Senator DeWolf
Edith Williams, Jan. 23.....Senator Nye
Rose Polfuss, Jan. 24.....Senator Legel
Jennie Capps Spooner, Jan. 27.....Senator Wilson of Appanoose
Mrs. Elizabeth Newlen, Jan. 28.....Senator Goodwin

Senator Wilson of Clinton moved that the Senate do now adjorn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 30, 1913.

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

Prayer was offered by Jesse Cole, chaplain Iowa Soldiers' Home, Marshalltown, Iowa.

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

On request of Senator DeWolf, leave of absence was granted Senator Jewell on account of illness.

PETITIONS AND MEMORIALS.

Senator Mattes presented a petition of citizens of Sac county condemning the action of the educational board of control in removing home economics from the college at Ames.

Referred to committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Smith, Senate File No. 122, a bill for an act to establish three additional state normal schools, to have state board of education locate the same, select and secure sites therefor, and making appropriation for the purchase of said sites.

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

By Senator McColl, Senate File No. 123, a bill for an act to establish and maintain an elementary state normal school at Perry, Iowa, and donating certain real estate to the state of Iowa for the use of the said school.

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

By Senator Wilson of Appanoose, Senate File No. 124, a bill for an act to amend section three thousand eight hundred two (3802) of the code relative to the lien of judgments.

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

By Senator Nye, by request, Senate File No. 125.

A BILL FOR AN ACT to Legalize Certain Warrants of the City of Bedford, Iowa.

WHEREAS: The city of Bedford, in the county of Taylor, state of Iowa, did heretofore issue warrants evidencing indebtedness of said city in the aggregate amount of thirty-four thousand one hundred ninety-eight dollars and sixty-seven cents ($34,198.67); and,

WHEREAS: Said city by contract did heretofore cause divers streets therein to be improved, and levied assessments against the owners of property benefited thereby in proportion to the benefits conferred, which assessments were not equal to the price which the city had contracted should be paid for said improvements; and,

WHEREAS: Said city thereby became liable and indebted to the contractors for the deficiency between the contract price for said street improvements and the total amount of aforesaid assessments, which deficiencies amounted to the sum of twenty-six thousand nine hundred sixteen dollars and ninety-one cents ($26,916.91), and issued warrants in the sum of twenty-six thousand nine hundred sixteen dollars and ninety-one cents ($26,916.91), to evidence said indebtedness, which warrants are a portion of the warrants in the sum of thirty-four thousand one hundred ninety-eight dollars and sixty-seven cents ($34,198.67), above referred to; and,

WHEREAS: Said city did heretofore incur indebtedness for purposes authorized by law, other than street improvements, in the amount of seven thousand two hundred eighty-one dollars and seventy-six cents ($7,281.76), and issued warrants in the sum of seven thousand two hundred eighty-one dollars and seventy-six cents ($7,281.76) to evidence said indebtedness, a portion of which warrants, however, represent interest on other warrants which had been presented for payment and remained unpaid for lack of funds, which warrants in the sum of seven thousand two hundred eighty-one dollars and seventy-six cents ($7,281.76) constitute the balance of the warrants in the sum of thirty-four thousand one hundred ninety-eight dollars and sixty-seven cents ($34,198.67) above referred to; and,

WHEREAS: The city of Bedford has been, and now is, enjoying the use and benefit of said expenditures for street improvements and other lawful purposes, which were well worth the contract price; and,

WHEREAS: Doubts have arisen concerning the legality of aforesaid warrants in the sum of thirty-four thousand one hundred ninety-eight dollars and sixty-seven cents ($34,198.67), or a portion thereof, on the ground that the expenditures for the said warrants, or a portion thereof, were contracted in excess of the city's authorized annual revenues; and,

WHEREAS: Doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the ground that the expenditures for which said warrants were issued, or a portion thereof, were not provided for in the city's annual appropriations; and,

WHEREAS: Doubts have arisen concerning the legality of aforesaid warrants, or a portion thereof, on the ground that the indebtedness which said warrants evidence was contracted in excess of the statutory limitation of indebtedness; and,

WHEREAS: Doubts have arisen concerning the legality of a portion of said warrants on the ground that they were issued in lieu of warrants which had been issued in violation of the rule which limits the amount of any one warrant to the sum of five hundred dollars ($500); now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the acts of the corporate authorities of the city of Bedford, in the county of Taylor, state of Iowa, in making expenditures for said city for street improvements and other lawful purposes, and incurring indebtedness thereby and issuing warrants to evidence said indebtedness, in the sum of thirty-four thousand one hundred ninety-eight dollars and sixty-seven cents ($34,198.67), be and the same are hereby legalized as though the law had in all respects been complied with.

SEC. 2. That the aforesaid warrants of said city in the sum of thirty-four thousand one hundred ninety-eight dollars and sixty-seven cents ($34,198.67), issued for street improvements and other lawful purposes, be and the same are hereby legalized and declared to be valid, legal, and subsisting obligations of said city, the same as though the law had in all respects been complied with.

SEC. 3. That nothing in this act shall affect any pending litigation.

SEC. 4. That this act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader, a newspaper published at Des Moines, Iowa, and the..... a newspaper published at Bedford, Iowa, without expense to the state.

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

By Senator Dunnegan, Senate File No. 126, a bill for an act to appropriate money to carry out the provisions of chapter sixteen-f (16-f) title twelve (XII) supplement to the code, 1907, relating to the work of the state entomologist.

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

By Senator Hilsinger, by request, Senate File No. 127, a bill for an act to amend the law as it appears in section twenty-seven hundred and fifty-four (2754) of the supplement to the code, 1907, relating to the election of officers in independent school districts in towns and cities.

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 has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 53, a bill for an act repealing paragraph 16 of section 511, Supplement to the Code, 1907, and enacting a substitute therefor relating to the boarding of prisoners.

A. C. GUSTAFSON,
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. 7, relating to the selection of senators in the Congress of the United States.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 36, a bill for an act to amend section 850-a of the Supplement to the Code, 1907, relating to the election of park commissioners.

A. C. GUSTAFSON,
Chief Clerk.

Senator Darrah asked unanimous consent to take up for consideration at this time House message on House Joint Resolution No. 7, relating to the election of senators in the congress of the United States.

Consent granted.

HOUSE MESSAGE CONSIDERED.

HOUSE JOINT RESOLUTION NO. 7.

A Joint Resolution and Enactment ratifying the amendment to the Constitution of the United States, proposed by the Congress of the United States relating to the selection of Senators in the Congress of the United States.

WHEREAS, Both Houses of the Sixty-Second Congress of the United States of America, at the second session thereof, by a constitutional majority of two-thirds thereof, did propose an amendment to the Constitution of the United States of America in the following words, to-wit:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein,)

That in lieu of the first paragraph of Section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the states:

'The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the Senate, the Executive authority of such state shall issue writs of election to fill such vacancies: Provided, that the legislature of any state may empower the Executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.'

Therefore, Be it Resolved and Enacted by the General Assembly of the State of Iowa: That the said proposed amendment to the Constitution of the United States of America as set forth herein be and the same is hereby ratified and consented to by the State of Iowa and by the General Assembly thereof.

Be it further resolved and enacted that certified copies of this enactment and resolution be forwarded by the Governor of this State to the Secretary of State of the United States at Washington and to the presiding officers of each house of the Congress of the United States.

The joint resolution was read a first and second time.

THIRD READING OF BILLS.

On motion of Senator Darrah, House Joint Resolution No. 7, a joint resolution and enactment ratifying the amendment to the constitution of the United States proposed by the congress of the United States relating to the selection of senators in the congress of the United States, was taken up and considered.

Senator Darrah moved that the rule by which no bill shall be read a second and third time on the same day be suspended.

Carried unanimously.

Senator Darrah moved that the rules 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.

HOUSE JOINT RESOLUTION NO. 7.

A Joint Resolution and Enactment ratifying the amendment to the Constitution of the United States, proposed by the Congress of the United States relating to the selection of Senators in the Congress of the United States.

WHEREAS, Both Houses of the Sixty-Second Congress of the United States of America, at the second session thereof, by a constitutional majority of two-thirds thereof, did propose an amendment to the Constitution of the United States of America in the following words, to-wit:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (two-thirds of each house concurring therein,)

That in lieu of the first paragraph of Section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the states:

'The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the Senate, the Executive authority of such state shall issue writs of election to fill such vacancies: Provided, that the legislature of any state may empower the Executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.'

Therefore, Be it Resolved and Enacted by the General Assembly of the State of Iowa: That the said proposed amendment to the Constitution of the United States of America as set forth herein be and the same is hereby ratified and consented to by the State of Iowa and by the General Assembly thereof.

Be it further resolved and enacted that certified copies of this enactment and resolution be forwarded by the Governor of this State to the Secretary of State of the United States at Washington and to the presiding officers of each house of the Congress of the United States.

On the question, "Shall the joint resolution pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett Gates, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—44.

Absent or not voting:

Boe, Cowles, Gillette, Goodwin, Jewell, Savage—6.

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

INTRODUCTION OF BILLS.

By Senator Doran, Senate File No. 128, a bill for an act to provide for the organization and management of local road districts in the state, and providing bounties for all permanent roads constructed in accordance with the provisions of this act.

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

By Senator Wilson of Clinton, Senate File No. 129, a bill for an act relating to the building of county bridges.

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

By Senator Clarkson, Senate File No. 130, a bill for an act to amend section ten hundred seventy-six (1076) supplement to the code 1907, relating to registration of voters.

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

By Senator Chase, Senate File No. 131, a bill for an act to amend the law as it appears in sections twenty-eight hundred thirty-one (2831) and twenty-eight hundred thirty-two (2832) supplement to the code, 1907, relating to schools.

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

Senator Arney moved that Senate File No. 54, by Dunnegan; No. 122, by Smith, and No. 123, by McColl, relating to the establishment of normal schools, be withdrawn from committee on Schools and referred to committee on Educational Institutions.

Motion carried, and the bills were referred to committee on Educational Institutions.

Senator Savage, from the committee on Schools, returned to the Senate, Senate File No. 54, which was referred to committee on Educational Institutions.

By Senator Legel, Senate File No. 132, a bill for an act to repeal sections twenty-three hundred eighty-seven (2387), twenty-three hundred eighty-nine (2389), twenty-three hundred ninety-one (2391), twenty-three hundred ninety-four (2394), twenty-three hundred ninety-five (2395), twenty-three hundred ninety-six (2396), twenty-three hundred ninety-seven (2397), twenty-three hundred ninety-eight (2398), and twenty-three hundred ninety-nine (2399) of the code of 1897, and sections twenty-three hundred eighty-eight (2388), twenty-three hundred ninety (2390), twenty-three hundred ninety-two (2392), twenty-three hundred ninety-three (2393), twenty-four hundred (2400), and twenty-four hundred one (2401), twenty-five hundred ninety-six-a (2596-a), twenty-five hundred ninety-six-b (2596-b), and twenty-five hundred ninety-six-c (2596-c) of the supplement to the code of 1907, relating to the sale of intoxicating liquors by registered pharmacists.

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

By Senator Neal, Senate File No. 133, a bill for an act repealing section ten (10) of chapter twenty-six (26) of the acts of the Thirty-third (33d) General Assembly of the state of Iowa, and substituting therefor not more than a one (1) mill levy upon the assessed value of the taxable property in any county exercising the rights conferred by said chapter.

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

By Senator Darrah, Senate File No. 134, a bill for an act for the relief of the grantees of G. W. Perkins, and for the purpose of having a patent issued in the name of John A. Ruttur, for a certain tract of land.

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

HOUSE MESSAGES CONSIDERED.

House File No. 53, a bill for an act to repeal paragraph sixteen (16) of section five hundred eleven (511) of the supplement to the code, 1907, as amended by chapter thirty-six (36) of the acts of the Thirty-third General Assembly relating to the boarding and lodging of prisoners.

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

House File No. 36, a bill for an act to amend section eight hundred fifty-a (850-a) of the supplement to the code, 1907, relating to the election of park commissioners.

Read first and second time and referred to committee on Cities and Towns.

Journal of yesterday was taken up, corrected and approved.

Senator Clarkson, from the committee on examination of applicants for committee clerkships, submitted the following report and moved its adoption:

We, your committee appointed to examine and test the qualifications of applicants for committee clerks, beg leave to report that we have examined the following named person and find her qualified for the position referred to:

Ethel Virtue.....Senator Chase

JOHN T. CLARKSON,
Chairman.

Adopted.

The following committee clerk appeared before the bar of the Senate and was duly sworn:

Ethel Virtue.....Senator Chase

The time having arrived, the Senate took up for consideration special order on House concurrent resolution relative to memorializing congress to pass the Kenyon-Shepard bill.

Senator Sheean offered the following amendment and moved its adoption:

I move to amend House Concurrent Resolution memorializing Congress to pass the Kenyon-Shepard bill, relating to the interstate transportation of intoxicating liquors, by adding at the end thereof the following, to-wit:

"But, it is expressly understood that nothing herein contained is meant to in any manner to endorse the restriction of the shipment of intoxicating liquors to individuals for private use. And the senators and members of Congress from Iowa are requested to use their influence to

ward causing to be amended this bill so that there can be no misunderstanding in relation to same."

Senator Neal moved the previous question.

Carried.

The amendment was read for information.

On the adoption of the amendment a roll call was demanded.

Those favoring the amendment were:

Balluff, Cowles, Crow, DeWolf, Garrett, Gillette, Goodwin, Hilsinger, Legel, McManus, Quigley, Ream, Savage, Schrup, Sheean, Webber, White, Wilson of Clinton—18.

The nays were:

Allen, Ames, Arney, Balkema, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gates, Heald, Jones, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—30.

Absent or not voting:

Boe, Jewell—2.

Amendment lost.

On the adoption of the House concurrent resolution a roll call was demanded.

Those favoring the adoption of the resolution were:

Allen, Ames, Arney, Balkema, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gates, Heald, Hilsinger, Jones, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—32.

The nays were:

Balluff, Cowles, Crow, DeWolf, Farr, Gillette, Goodwin, Legel, McManus, Quigley, Savage, Schrup, Sheean, Webber, White, Wilson of Clinton—16.

Absent or not voting:

Boe, Jewell—2.

So the concurrent resolution was declared to have been concurred in by the Senate.

INTRODUCTION OF BILLS.

By Senator Quigley, Senate File No. 135, a bill for an act to amend section 3377 of the code, relating to the election between the distributive share and occupancy of homestead by surviving spouse and setting off such distributive share.

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

By Senator Ames, Senate File No. 136, a bill for an act to provide for the destruction of noxious weeds and other weeds and brush upon lands, highways and other places; prescribing penalties for the violation thereof; assessing the costs and expenses of the destruction of the same to the lands and owners thereof; and providing funds with which to destroy the same, and repealing all of chapter ninety-six (96) of the acts of the Thirty-third General Assembly relating to weeds and brush upon lands and highways.

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

Senator Farr offered the following concurrent resolution:

Be it resolved by the Senate, the House concurring.

The following Concurrent Resolution relative to the Kenyon-Shepard bill is moved, viz.:

That this General Assembly memorialize Congress that the Kenyon-Shepard bill be amended as follows:

SEC. 3. That there shall be no property right in or to any such liquor while in the possession of any railway company, express company or other common carrier in connection with any shipment or transportation thereof in violation of this act.

SEC. 4. That no license shall issue by the United States government for the sale of any intoxicating liquor within the territory into which shipment is prohibited.

SEC. 5. That any person selling intoxicating liquors within such territory shall be punished by a fine of $1,000.00 and imprisonment in the penitentiary for the term of one year.

Laid over under the rules.

The following persons appeared before the bar of the Senate, on the respective dates shown, and were duly sworn:

G. F. Kane, Jan. 15.....Lieutenant Governor's Clerk
Howard H. Nye, Jan. 13.....Telephone Messenger
P. M. Streit, Jan. 13.....Telephone Messenger

Senator White moved that the Senate adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 31, 1913.

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

Prayer was offered by Rev. Charles Patterson Proudfit of Des Moines, Iowa.

On request of Senator Sheean, leave of absence was granted Senator Balluff until Tuesday.

On request of Senator Sheean, leave of absence was granted Senator Jewell on account of sickness.

PETITIONS AND MEMORIALS.

Senator Sullivan presented a petition of board of supervisors of Polk county and judges of the district court asking for the passage of Senate File No. 37, House File No. 84, relating to the compensation to be paid to the clerk of the grand jury in counties having a population of 75,000 or over.

Referred to committee on Compensation of Public Officers.

INTRODUCTION OF BILLS.

By Senator Larrabee, Senate File No. 137, a bill for an act to establish a laboratory for the manufacture of hog cholera serum at the Iowa State College of Agriculture and Mechanic Arts, under the supervision of the president of said college, to abandon the institution for manufacture of hog cholera serum now being operated by the state of Iowa, to regulate the sale of hog cholera serum, to provide penalties for the violation of said regulations, and to make an appropriation therefor.

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

By Senator Heald, Senate File No. 138, a bill for an act to create a department for women and children in the bureau of labor and to prescribe the duties thereof, additional to chapter eight (8) of the code, relating to the bureau of labor statistics.

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

By Senator Jones, Senate File No. 139, a bill for an act to amend the law as it appears in section fifty-seven hundred seven (5707) of the supplement to the code of 1907 relating to the breaking of stone.

Read first and second time and referred to committee on Penitentiaries and Pardons.

By Senator Jones, Senate File No. 140, a bill for an act to repeal the law as it appears in section fifty-six hundred eighty-five-a (5685-a) of the supplement to the code of 1907 and to enact a substitute therefor in regard to collection of money from visitors and its use.

Read first and second time and referred to committee on Penitentiaries and Pardons.

By Senator Jones, Senate File No. 141, a bill for an act to repeal the law as it appears in section twenty-six hundred ninety-two-a (2692-a) of the supplement to the code of 1907, and to repeal section one (1) of chapter one hundred seventy-two (172) of the acts of the Thirty-third General Assembly relating to state agents, their salaries and supplies, and to enact a substitute therefor and to amend section one (1) of chapter one hundred thirty-four (134) making an appropriation for the salaries and expenses of state agents.

Read first and second time and referred to committee on Penitentiaries and Pardons.

By Senator Jones, Senate File No. 142, a bill for an act to repeal chapter one hundred thirty-seven (137) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the support of the industrial schools.

Read first and second time and referred to committee on Penitentiaries and Pardons.

By Senator Robinson, Senate File No. 143, a bill for an act to amend section three (3), chapter one hundred seventy-four (174), laws of the Thirty-fourth (34th) General Assembly, relating to the misbranding of foods.

Read first and second time and referred to committee on Food and Dairy.

REPORTS OF COMMITTEES.

Senator Sullivan, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 46, a bill for an act relating to the management and operation of paid fire departments, providing for the division of all paid fire departments into two platoons, limiting the hours of service of such employes and repealing all acts and parts of acts in conflict herewith, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 85, a bill for an act to amend section 793 of the Code, relating to street improvements, sewers and special assessments, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute and title thereof:

SUBSTITUTE FOR SENATE FILE NO. 85.

A BILL FOR AN ACT to Repeal Section Seven Hundred Ninety-three (793) of the Code, Relating to Street Improvements, Sewers and Special Assessments and to Enact a Substitute Therefor.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section seven hundred ninety-three (793) of the Code of 1897 be and the same is hereby repealed, and the following enacted in lieu thereof:

"The construction or reconstruction of such improvement shall not be ordered made until three-fourths of all the members of the council shall by vote assent thereto, provided that in cities under the commission plan of government with but three members in the council a two-thirds vote shall be sufficient, unless the same be petitioned for by the owners of the majority of the linear front feet of the property abutting thereon; but a majority of the council may provide for repairing said improvements;" and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Substitute read first and second time.

Passed on file.

Senator Francis, 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 to legalize a certain election held in the town of Jewell Junction, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 84, a bill for an act to legalize a special election held in the city of Carroll, Iowa, at which was submitted the question of granting a franchise for the establishment of gas works and the use of the streets, alleys and public grounds of said city in connection therewith; and to legalize an ordinance passed by the city council of said city granting said franchise; and legalizing all acts of said city and its council in connection with the grant of same, beg leave to report they have had the same under consideration and recommend the same be amended by striking from lines 5 and 6 of page 2 thereof the words "and dispensed with;" and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 32, a bill for an act to amend the law as it appears in

section 265 of the Code, relating to the clerk of the superior court, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 20, a bill for an act to amend section three hundred seventy-three (373) of chapter thirteen (13) of the law as to notary publics so that the term will hereinafter be for five years instead of three, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 63, a bill for an act to amend section 3447 of the Code, relating to the limitation of actions, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 12, a bill for an act to repeal section 4261 of the Code, relating to the taxing of attorney's fees in partition suits, and enacting a substitute therefor, providing for the taxing of attorney's fees as costs in actions for partition and for actions to quiet title in connection therewith, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Adopted.

So the bill was indefinitely postponed.

INTRODUCTION OF BILLS.

By Senator Ames, Senate File No. 144, a bill for an act to amend sections two (2), three (3) and seven (7) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly, and adding new sections to the same relating to stallions and jacks.

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

Journal of yesterday was taken up, corrected and approved.

Senator Mattes offered the following resolution and moved its adoption:

Resolved, That the Senate has heard with profound sorrow of the death of Hon. Charles Gates, senator from the Thirty-ninth District of Iowa,

Resolved, That a committee of five members of the Senate, with such members of the House as may be joined, be appointed to attend the funeral.

Resolved, That the sergeant-at-arms of the Senate be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expense in connection therewith be paid out of the contingent fund of the state.

Resolved, That the secretary of the Senate communicate these resolutions to the House and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this Senate do now adjourn until 10 o'clock a. m., Monday, February 3.

Resolution adopted unanimously by rising vote.

The President announced as such committee on the part of the Senate, Senators Larrabee, Neal, Boe, Legel and White.

President Harding announced the following communication from the governor, which was read:

STATE OF IOWA.

EXECUTIVE DEPARTMENT.

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

It becomes my very sad duty this morning to convey to you the intelligence which has just reached me of the sudden death of Hon. Charles Gates of the Thirty-ninth Senatorial District. Senator Gates served his district and the state in the Thirty-third and Thirty-fourth General Assemblies with ability and fidelity and had just entered upon a new term of service, which testifies to the great respect, high esteem and confidence in which he was held by the people of his district.

I recommend such action on the part of the Senate and House as will fittingly express the high regard in which he was held by the General Assembly and deep sense of the loss sustained by the state in his death.

Done at Des Moines, Iowa, this 31st day of January, 1913.

G. W. CLARKE,
Governor.

Senator Sullivan moved the communication be printed in the Journal.

Carried.

Senator Mattes moved that the Senate do now adjourn.

Carried.

Senate adjourned until Feb. 3rd, 10 o'clock A. M.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 3, 1913.

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

Prayer was offered by Rev. Everett D. Martin of Des Moines, Iowa.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker has appointed as Conference Committee on the part of the House on Concurrent Resolution relative to furnishing Codes to members of the press, Shankland of Polk, Jacobs of Calhoun, Hamilton of Lee and Huff of Hardin.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 26, a bill for an act amending chapter 100, acts of the Thirty-fourth General Assembly, regulating the granting of certificates of soundness of stock.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 making appropriation to defray the expenses of the inaugural ceremony.

A. C. GUSTAFSON,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Ames presented a petition of citizens of Tama and Benton counties requesting that the legislature do all in their power to have section No. 2 and chapter No. 100 of the laws of the Thirty-fourth General Assembly amended.

Referred to committee on Agriculture.

Senator Wilson of Clinton presented a petition of citizens of Bryant, Iowa, recommending that the proposed Iowa state serum plant be located at Ames, Iowa.

Referred to committee on Agriculture.

Senator Jones presented a petition of citizens of Mills county entering a protest against any kind of law prohibiting spring shooting in Iowa.

Referred to committee on Fish and Game.

INTRODUCTION OF BILLS.

By Senator Wilson of Appanoose, Senate File No. 145, a bill for an act to establish and maintain another state normal school for the special instruction and training of teachers for the common schools of the state, providing for the donation of a site therefor, and providing for the teaching of certain branches in said school.

Read first and second time and referred to committee on Educational Institutions.

By Senator Wilson of Appanoose, Senate File No. 146, a bill for an act to amend sections two (2), five (5) and eight (8), ten (10), twelve (12), fifteen (15), and sixteen (16) of chapter one hundred twenty-eight (128), acts of the Thirty-fourth General Assembly, relative to the duties and compensation of the state fire marshal and the deputy state fire marshal, and making an appropriation for the maintenance of the state fire marshal's office.

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

By Senator Wilson of Appanoose, Senate File No. 147, a bill for an act to amend section 3656 of the code relative to trial terms.

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

By Senator Wilson of Appanoose, Senate File No. 148, a bill for an act to amend section 3172 of the code of 1897, providing for the postponement of the hearing of an application for divorce.

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

By Senator Mattes, Senate File No. 149, a bill for an act making appropriations for the State University, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers' College, and the College for the Blind.

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

By Senator Perkins, Senate File No. 150, a bill for an act to amend section thirty-three hundred and seventy-six (3376) of the supplement to the code, 1907, as to share of surviving spouse.

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

HOUSE MESSAGES CONSIDERED.

House File No. 26, a bill for an act to amend chapter one hundred (100) section two (2) and section five (5) of the laws of the Thirty-fourth General Assembly regulating the granting of certificates of soundness of stock offered for sale or public service.

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

Senate File No. 49, a bill for an act making appropriation to defray the expenses of the inaugural ceremonies.

Passed on file.

Concurrent resolution relative to furnishing codes to members of the press who have seats in the reporters' gallery.

Passed on file.

REPORT OF COMMITTEE.

Senator Hilsinger, from the committee on Board of Control and its Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 61, a bill for an act to provide additional funds for the Soldiers' Home, the Industrial School for Boys, the Industrial School for Girls, the State Penitentiary and the Reformatory, beg leave to report they have had the same under consideration and recommend the same be referred to the Appropriations committee, without recommendation.

G. E. HILSINGER,
Chairman.

Adopted.

So the bill was referred to committee on Appropriations.

Senator Perkins, from the committee on rules, submitted the following report:

MR. PRESIDENT—Your committee on Rules begs leave to report as follows:

That rule twenty-b (20-b) be changed as follows and when printed shall read:

WHEN INTRODUCED.

(b) No bill shall be introduced in the Senate after March 10, except such bills as may be reported from standing committees as committee bills.

EDUCATIONAL INSTITUTIONS AND INSTITUTIONS UNDER THE BOARD OF CONTROL.

(d) Bills carrying appropriations for the state educational institutions and the institutions under the charge of the Board of Control shall not be introduced later than February 15, and no bill carrying an appropriation for any purpose shall be introduced after March 1, except by the committee on Appropriations.

That Senate Rule No. nineteen (19) be amended so that the first sentence thereof shall read when printed as follows:

Upon the second reading of a bill or joint resolution, the president shall refer the bill to an appropriate standing committee, unless otherwise ordered by the Senate.

That Senate Rule No. twenty (20) be amended by adding the words "or involving the expenditure of state funds" immediately after the

word "appropriations" and before the word "shall" in the second line thereof.

That Senate Rule No. twenty-nine (29) be amended by adding after the word "committee" in the second line thereof the following sentence:

"All applicants for the position of committee clerkship shall be examined by a committee of three appointed by the president of the Senate."

That there be added to Senate Rule No. twenty-nine (29) a new section which shall be Rule twenty-nine-a (29-a) and shall read as follows:

Committee clerks shall report to the secretary of the Senate one-half hour before the time to which the Senate is adjourned on all days when the Senate is in session and the secretary of the Senate shall provide a register in which clerks shall register daily when the Senate is in session. Any committee clerk may be excused for the day by the secretary of the Senate on the written request of the senator to whom the clerk is assigned as committee clerk.

That when said rules are so amended the same be printed as heretofore ordered.

ELI C. PERKINS,
Chairman of the Committee on Rules.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator McColl, Senate File No. 151, a bill for an act to amend the law relating to the compensation and duties of school treasurers as the same appears in section twenty-seven hundred eighty (2780) of the code and section twenty-seven hundred sixty-eight (2768) of the supplement to the code, 1907.

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

By committee on Rules, Senate File No. 152, a bill for an act to fix the date of the counting of the votes for governor and lieutenant governor and fixing the date of the inauguration of governor and lieutenant governor.

Read first and second time and passed on file.

By committee on Rules, Senate File No. 153, a bill for an act to authorize senators holding over and members of the House and Senate holding certificates of election, to file with the secretary

of state and have printed before the meeting of the general assembly, any bill for a law that he may intend to present to the consideration of that body.

Read first and second time and referred to committee.

On request of Senator Wilson of Clinton, leave of absence was granted Senator Sheean until Wednesday.

On request of Senator Balkema, leave of absence was granted Senator Francis on account of illness.

On request of Senator Cowles, leave of absence was granted Senator Webber for the day.

On request of Senator Arney, leave of absence was granted Senator Heald for the day.

On request of Senator Arney, leave of absence was granted Senator Nye for the day.

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

Journal of Friday was taken up, corrected and approved.

On request of Senator Spaulding, leave of absence was granted Senator Sullivan for the day.

On request of Senator Cowles, leave of absence was granted Senator Savage for the day.

On request of Senator Dunnegan, leave of absence was granted Senator McManus on account of the illness of his brother.

THIRD READING OF BILLS.

On motion of Senator Malmberg, Senate File No. 84, a bill for an act to legalize a special election held in the city of Carroll, Iowa, at which was submitted the question of granting a franchise for the establishment of gas works and the use of the streets, alleys and public grounds of said city in connection therewith; and to legalize an ordinance passed by the city council of said city granting said franchise; and legalizing all acts of said city and its council in connection with the grant of the same,

with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Malmberg moved the adoption of the following amendments: "be amended by striking from lines 5 and 6, page 2 thereof, the words 'and dispensed with.'"

Adopted.

The bill as amended was read for information.

Senator Malmberg moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Clarkson, Cowles, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Malmberg, Mattes, McColl, Perkins, Quigley, Ream, Robinson, Smith, Spaulding, Taylor, Wilson of Appanoose, Wilson of Clinton—28.

Absent or not voting:

Allen, Balluff, Boe, Chase, Crist, Crow, DeWolf, Francis, Goodwin, Larrabee, Legel, McManus, Neal, Nye, Savage, Schrup, Sheean, Sullivan, Thomas, Webber, White—21.

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

Senator Balkema asked that the records show that he had accepted the resignation of Miss Florence Nelson as clerk on Saturday evening, February first.

President announced the Senate would be at ease, subject to the call of the president.

Senate was at ease.

Senate called to order at 11:20 o'clock.

The following named committee clerk appeared before the bar of the Senate and was duly sworn:

Lillian Leland.....Senator Balkema

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. 9, authorizing employment of expert accountants and making an appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

House Joint Resolution No. 9.

Joint Resolution Authorizing the Joint Committee on Retrenchment and Reform to Employ Expert Accountants and Efficiency Engineers to Institute Reform, and Appropriating Funds Therefor.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the joint committee on retrenchment and reform is hereby authorized and empowered to employ expert accountants and efficiency engineers to assist said committee in the inquiry required by the statute.

SEC. 2. Said joint committee on retrenchment and reform is hereby authorized and empowered to institute such changes in the administration of public affairs as will promote the efficient and economical administration of the affairs of the state in its various departments.

SEC. 3. There is hereby appropriated sufficient funds with which to meet the expenses contemplated by this resolution out of the general funds of the state not otherwise appropriated.

Read first and second time and ordered passed on file.

Senator Ames moved that out of respect for Senator Gates, the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 4, 1913.

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

Prayer was offered by Rev. Frank Bean, pastor of the M. E. church of Lewis, Iowa.

PETITIONS AND MEMORIALS.

Senator Mattes presented a petition of citizens of Greene county requesting that the members of the general assembly annul the action of the state board of education and to permanently establish at the State University a high grade technical college.

Referred to committee on Schools.

Senator Heald presented a petition of citizens of Linn county requesting that the senators and representatives in the state legislature be urged to create an active highway commission and place in their hands the automobile tax, to be expended by them for the promotion of good roads.

Referred to committee on Roads and Highways.

Senator Heald presented a petition of citizens of Cedar Rapids, Iowa, petitioning the general assembly to amend the smoke nuisance law enacted by the Thirty-fourth General Assembly, by striking out the number 65,000 and inserting the number 30,000, or so amend that Cedar Rapids may have the benefit of said law.

Referred to committee on Cities and Towns.

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. 34, a bill for an act to amend section 741-d of the Supplement to the Code, 1907, relating to the erection of city hall.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to transmit to your honorable body the petitions presented to the House relative to certificates of authorized veterinarians, and respectfully request that these be referred to the proper committee.

A. C. GUSTAFSON,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Heald presented a petition of the legislative committee of State Auditors' Association endorsing the report of the special tax commission appointed by former Governor Carroll to examine into the subject of taxation, and recommending certain changes.

Referred to committee on Ways and Means.

Senator Boe presented a petition of students and graduates of the State University of Iowa, the State College of Agriculture and Mechanic Arts, and the Iowa State Teachers' College, protesting against the recent proposed action of the state board of education.

Referred to committee on Educational Institutions.

Senator Boe presented a petition of residents and electors of Mitchell county, petitioning for the enactment of a law prohibiting the intermarriage of the Ethiopian and Caucasian races.

Referred to committee on Judiciary.

Senator Thomas presented a petition of the Afton Booster Club asking the enactment of laws securing speedy relief for the citizens of Iowa in the form of permanent roads.

Referred to committee on Roads and Highways.

Senator Ames presented a petition of citizens of Tama county asking the amendment of section 2, chapter 100 of the laws of the Thirty-fourth General Assembly.

Referred to committee on Agriculture.

Senator Perkins presented a petition of citizens of Earlville, Delaware county, asking the amendment of section 2, chapter 100 of the laws of the Thirty-fourth General Assembly.

Referred to committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Ream, Senate File No. 154, a bill for an act to provide free text books and supplies for pupils in rural and graded schools.

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

By Senator Mattes, Senate File No. 155, a bill for an act to establish and maintain an elementary state normal school for the education and promotion of teachers for the common schools of Iowa, and providing for the transfer of certain real estate and personal property to the state of Iowa for the use of said normal school.

Read first and second time and referred to committee on Educational Institutions.

By Senator Heald, Senate File No. 156, a bill for an act repealing section one thousand three hundred twenty-six (1326) of the code of 1897 and enacting a substitute in lieu thereof relating to the assessment of stock of building and loan associations.

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

By Senator Heald, Senate File No. 157, a bill for an act to amend the law as it appears in section two thousand three hundred and nine (2309) of the code relating to compensation of the commissioners of insanity.

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

By Senator Thomas, Senate File No. 158, a bill for an act to amend section two thousand seven hundred and ninety-seven (2797) of the code, relating to rural independent districts.

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

By Senator Perkins, Senate File No. 159, a bill for an act to prohibit marriages of persons committed to the industrial school and absent therefrom on parole or without authority and to provide punishment for violation of the act.

Read first and second time and referred to committee on Board of Control and its Institutions.

By Senator Perkins, Senate File No. 160, a bill for an act to provide for the transfer of inmates of the industrial school to the reformatory for the purpose of safe-keeping, training and disciplining.

Read first and second time and referred to committee on Board of Control and its Institutions.

By Senator Perkins, Senate File No. 161, a bill for an act in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation for the labor of patients amendatory to.

Read first and second time and referred to committee on Board of Control and its Institutions.

By Senator Perkins, Senate File No. 162, a bill for an act providing for the paroling of patients in the state hospital for

inebriates and certain female patients from state hospitals for the insane, and for the return of patients who violate their paroles, and repealing the law as it appears in section twenty-three hundred ten-a-nineteen (2310-a19) of the supplement to the code, 1907.

Read first and second time and referred to committee on Board of Control and its Institutions.

By Senator Jewell, Senate File No. 163, a bill for an act to repeal the law as it appears in section five thousand twenty-eight-b (5028-b) supplement to the code, 1907, and chapter two hundred twenty-two (222), acts of the Thirty-third General Assembly, amendatory thereof, and to enact a substitute therefor relating to unfair discrimination and competition in any commodity or article of commerce between different sections, communities, localities, cities or towns.

Read first and second time and referred to committee on Commerce and Trade.

By Senator Clarkson, Joint Resolution No. 6.

Joint Resolution No. 6. To Amend the Constitution Relating to Legislative Authority; Providing for the Initiative and Referendum with Reference to the Enactment of Laws or Laws Enacted by the General Assembly and Amendments to the Constitution.

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

That the following designated as Section One, be and the same is hereby proposed as an amendment to Section One, Article Three (Legislative Department) of the Constitution of the State of Iowa, which when agreed to by this, the Thirty-fifth General Assembly, shall be referred to the Thirty-sixth General Assembly and if by it agreed to, shall be referred to the qualified electors of the State of Iowa, and if approved and ratified by a majority of the qualified electors voting thereon, it shall be valid as a part of the constitution of the State of Iowa, as amended, and when said Section One, Article Three, is so amended, to read as follows:

SECTION 1. The legislative authority of this state shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives, and the style of every law shall be, "Be it enacted by the General Assembly of the State of Iowa," but the people reserve unto themselves the right and power to propose laws and amendments to the constitution to enact, approve or reject the same at the polls, independent of the General Assembly, and reserve the right and power to approve or reject any item, section or part of an act enacted by the General Assembly, except

otherwise provided by this section. The General Assembly shall fix the number of qualified electors required to propose the enactment of any proposed law or amendment to the constitution which shall be not less than twelve 12) per cent, nor more than twenty-two (22) per cent of the qualified electors of the state. Every proposed law or amendment to the constitution by the people shall be presentd by petition signed by the required number of qualified electors addressed to and filed with the Secretary of State not less than one hundred fifty days before the General Election at which the measure shall be submitted. The proposed enactment shall contain a full text thereof with title and enacting clause.

If the proposed measure be to enact a law, the enacting clause shall be as follows: "Be it enacted by the people of the State of Iowa."

If the measure proposed be an amendment to the constitution, the enacting clause shall be as follows: "Be it resolved by the people of the State of Iowa."

The right and power to initiate and enact laws shall be restricted within the same constitutional limitations as apply to the General Assembly. The required number of qualified electors required to exercise the rights and power to require an act passed by the General Assembly to be referred for approval or rejection shall be fixed by the General Assembly but shall not be less than ten (10) per cent nor more than twenty (20) per cent. Petitions therefor shall be addressed to and filed with the Secretary of State within ninety (90)days from the final adjournment of the General Assembly which passed the act to which the petition is addressed, and shall contain a full text of that part of the act to be referred; but such right and power shall not extend or apply to an act passed by the General Assembly relating to the preservation of the public peace, public health or appropriations for the support and maintenance of the department of state and state institutions. A petition addressed to a part of any act shall not delay the remainder from becoming operative, but shall only suspend such portion of the act to which the petition is addressed.

Until the General Assembly enacts a law fixing the per cent of qualified electors required for petition, the required per cent shall be as follows:

For the initiative proposing a law, fifteen (15%) per cent;

For the initiative proposing an amendment to the constitution, fifteen (15%) per cent;

For the referendum of an act or part thereof enacted by the General Assembly, fifteen (15%) per cent.

The whole number of votes cast for Secretary of State at the regular general election last preceding the filing of petition shall be the basis for the number of legal voters required to sign such petition.

The veto power of the Governor shall not apply or extend to any measure initiated and enacted by the people, nor so much of an act enacted by the General Assembly and approved by the people.

All measures for proposed laws or amendments to the constitution under the initiative or referred under the referendum shall be submitted to the people for adoption or rejection at the regular biennial general election, and shall become a law or a part of the constitution as the case may be when approved by a majority of the voters whose votes are cast thereon and not otherwise; and shall take effect from and after the date of official declaration of the vote thereon by proclamation issued by the governor, which shall be not later than thirty days after the vote has been canvassed by the state canvassing board for that purpose, composed of the governor, secretary of state and attorney general, and certificate thereof made not later than December first following the election.

The petition contemplated by this section shall consist of sheets having such general form printed or written as shall be prescribed by the secretary of state and shall be signed by the required number of qualified electors in their proper persons only, to which shall be attached the resident addresses of such persons signing the petition and the date of signing. To each of such petitions which may consist of one or more sheets, shall be attached and made a part thereof, an affidavit of some qualified elector that each signature thereon is the signature of the person whose name it purports to be, and that to the best of the knowledge and belief of the affiant each of the persons signing said petition was at the time of signing a qualified elector. Such petition so verified shall be prima facie evidence that the signatures thereon are genuine and true and that the persons signing the same are qualified electors of the State of Iowa.

Until the Geenral Assembly shall provide by law and method of procedure of printing, distributing and submitting proposed measures, the secretary of state shall ninety days preceding the general election at which the measure will be voted upon, cause to be printed any and all measures for or to which petition has been filed, in pamphlet form containing the full text thereof with the title and enacting clause, together with arguments for and against the same within the limits prescribed by the secretary of state. The number printed shall be not less than one for each voter voting at the last general election preceding the filing of the petition, which shall be delivered to the county auditor of each county.

For each voter in each voting precinct of each political party voting at the last general election, the auditor of each county shall deliver one copy to each precinct committeeman of each political party in the county.

The secretary of state shall submit all measures petitioned therefor to the people for adoption or rejection at the polls in compliance herewith; but the right and power reserved to the people shall not operate to deprive or limit the power of the general assembly to enact laws.

The initiative and referendum powers reserved to the people by this section are hereby further reserved to the legal voters of every city, town

and municipality as to all local, special and municipal legislation of every character in and for their respective municipalities in so far as applicable and within the powers of the muncipal government to enact. The manner of exercising the said powers shall be prescribed by general laws except that cities, towns and municipalities may provide for the manner of exercising the initiative and referendum powers as to their municipal legislation within the power of the municipal government to enact; but in such cases not more than ten (10%) per cent of the legal voters may be required to order the referendum, nor more than fifteen (15%) per cent to propose any measure by the initiative in any city, town or municipality.

If conflicting measures submitted to the voters of the state or municipality shall be approved by a majority of the votes severally cast thereon, the measure receiving the highest number of affirmative votes shall become law as to all conflicting provisions.

This section of the constitution shall be in all respects self-executive.

SECTION 1-a. Each elector voting at the election when the foregoing constitutional amendment is submitted and desirous of voting for or against said amendment, shall deposit in the ballot box a ticket whereon shall be printed or written the words, "For the amendment to Section One (1) of Article Three (3) of the constitution providing for the initative and referendum" and "against the amendment to Section One (1) of Article Three (3) of the constitution providing for the initiative and referendum," and shall indicate his approval or rejection of the proposition by placing a cross after one of such sentences. The vote cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner provided by the laws of the State of Iowa for the canvass of votes for representatives in congress.

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

HOUSE MESSAGES CONSIDERED.

House File No. 34, a bill for an act to amend section seven hundred forty-one-d (741-d) of the supplement to the code, 1907, relating to the power to erect a city hall and to purchase the ground therefor in certain cities.

Read first and second time and referred to committee on Cities and Towns.

Petitions presented to the House relative to certificates of authorized veterinarians.

Referred to committee on Agriculture.

On request of Senator Dunnegan, leave of absence was granted Senator McManus on account of death of his brother.

On request of Senator Taylor, leave of absence was granted Senator Webber on account of the illness of his father.

Senator Perkins called up for consideration the report of the committee on rules, submitted yesterday, and moved the adoption of the report.

Adopted.

Senator Smith moved that the further consideration of the rules and the amendments recommended by the committee on rules be postponed and be made a special order for Friday at 11 o'clock A. M.

Carried.

THIRD READING OF BILLS.

On motion of Senator Chase, Senate File No. 35, a bill for an act to legalize a certain election held in the town of Jewell Junction, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Chase 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—40.

Absent or not voting:

Cowles, Crist, DeWolf, Francis, Goodwin, McManus, Nye, Sheean, Webber—9.

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

On motion of Senator Allen, House Joint Resolution No. 9, a joint resolution authorizing the joint committee on Retrenchment and Reform to employ expert accountants and efficiency engineers to institute reform, and appropriating funds therefor, was taken up and considered.

Joint resolution was read for information.

Senator Allen moved that the rules be suspended, the joint resolution be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the joint resolution pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—43.

Absent or not voting:

DeWolf, Goodwin, McManus, Sheean, Spaulding, Webber—6.

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

Senator Allen offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring, That a joint convention be held at a time and place to be arranged by the committee hereinafter provided for, for the purpose of holding a suitable memorial service for the late Governor William Larrabee.

That a committee of five, consisting of two from the Senate, to be appointed by the president of the Senate, and three from the House, to be appointed by the speaker of the House, be appointed to arrange for and have charge of said memorial service.

By unanimous consent the concurrent resolution was taken up for consideration.

Senator Allen moved that adoption of the resolution.

Adopted.

The president announced as such committee, on part of the Senate, Senators Allen and Cowles.

THIRD READING OF BILLS.

On motion of Senator Arney, substitute for Senate File No. 85, a bill for an act to amend section seven hundred and ninety-three (793) of the code relating to street improvements, sewers and special assessments, with report of committee recommending the adoption of a substitute and passage, was taken up and considered, and the report of the committee adopted.

Senator Arney moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Arney moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—43.

Absent or not voting:

Balkema, DeWolf, Goodwin, McManus, Sheean, Webber—6.

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

Journal of yesterday was taken up, corrected and approved.

INTRODUCTION OF BILLS.

By Senator Francis, Senate File No. 164, a bill for an act to prevent and punish, interfering with and enticing from any state institution or home or place of employment any ward of the state and providing for the punishment of violation of the act.

Read first and second time and referred to committee on Board of Control and its Institutions.

By Senator Francis, Senate File No. 165, a bill for an act to repeal section four thousand eight hundred ninety-seven (4897) of the supplement to the code of 1907 and to enact a substitute relating to escapes from the penitentiary, including violations of parole.

Read first and second time and referred to committee on Penitentiaries and Pardons.

By Senator Francis, Senate File No. 166, a bill for an act to amend section forty-four hundred twenty (4420) of the code relating to applications for writs of habeas corpus.

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 49, a bill for an act making appropriations to defray the expenses of the inaugural ceremonies.

JOHN H. TAYLOR,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House Joint Resolution number seven (7), a joint resolution and enactment ratifying the amendment to the constitution of the United States, proposed by the Congress of the United States, Relating to the selection of senators in the Congress of the United States.

JOHN H. TAYLOR,
Chairman.

Adopted.

Senator Francis asked unanimous consent to withdraw Senate File No. 32 from consideration by the Senate for the purpose of correcting the report of the committee on Judiciary.

Consent granted.

So the bill was re-referred to committee on Judiciary.

Senator Chase offered the following resolution:

WHEREAS: Senator S. W. Neal is without a Code Supplement, the same having been lost without any fault of his; therefore,

Be it resolved, That the secretary of state furnish him with a copy of Code Supplement in lieu of the one lost.

By unanimous consent the resolution was taken up for consideration.

Senator Chase moved the adoption of the resolution.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submited the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled House Joint Resolution No. 7, a joint resolution and enactment ratifying the amendment to the constitution of the United States, proposed by the Congress of the United States, relating to the selection of senators in the Congress of he United States.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

Also:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled Senate File No. 49, a bill for an act making appropriation to defray the expenses of the inaugural ceremonies.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

On request of Senator Clarkson, leave of absence was granted him until Thursday morning.

Senator Balkema moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 5, 1913.

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

Prayer was offered by Rev. Francis L. Strickland of Indianola, Iowa.

INTRODUCTION OF BILLS.

By Senator Cowles, Senate File No. 167, a bill for an act to regulate trust companies, to authorize such companies and state and savings banks to act in a fiduciary capacity and to amend section sixteen hundred and eleven (1611) of the code, relating to corporations.

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

By Senator Schrup, Senate File No. 168, a bill for an act to amend section one (1) of chapter one hundred forty-two (142) of the acts of the Thirty-third (33) General Assembly, changing the number of consents to sell intoxicating liquors, that may be granted by city or town councils, from one (1) to every one thousand (1000) of population, to one (1) to every one hundred (100) legally qualified signers of petitions of consent.

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

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 concurred in the following Concurrent Resolution, in which the concurrence of the House was asked:

Senate Concurrent Resolution relative to attorneys' fees in the case of contested elections.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate Concurrent Resolution providing for the appointment of a joint committee to arrange a joint convention and memorial service for the late Gov. Wm. Larrabee, and the speaker of the House appoints as such committee on the part of the House, Halgrims of Humboldt, Jacobs of Calhoun and Koontz of Johnson.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 39, a bill for an act specifying qualifications for judges of the district court.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 specifying qualifications for judges of the supreme court of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 amending section 850-c of the Supplement to the Code, relating to the tax levy for park purposes.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 84, a bill for an act to legalize a special election held in the city of Carroll, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House File No. 39, a bill for an act specifying qualifications for judges of the district court, additional to chapter five (5), title three (3) of the code.

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

House File No. 38, a bill for an act specifying qualifications for judges of the supreme court of Iowa (additional to chapter one (1), title three (3) of the code.

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

House File No. 42, a bill for an act to amend the law as it appears in section 850-c of the supplement to the code, 1907, as amended by chapters 56 and 57 of the acts of the Thirty-third (33d) General Assembly and chapter 44 of the acts of the Thirty-fourth General Assembly relating to the tax levy for park purposes.

Read first and second time and referred to committee on Cities and Towns.

Senate File No. 84, a bill for an act to legalize a special election held in the city of Carroll, Iowa.

Passed on file.

Senate concurrent resolution relative to attorneys' fees in the case of contest for seats in the House or Senate.

House amendment: Amend concurrent resolution relative to attorney fees in the case of contested elections by striking out all after the word "allowed" at the end of the eighth line, and substitute therefor the following: "to either the defeated or successful occupant or the successful contestant for any seat, shall not exceed one hundred dollars ($100.00) and that no attorneys' fees or expenses of attorneys in such cases, shall be allowed."

Passed on file.

Concurrent resolution providing for the appointment of a joint committee to arrange a joint convention and memorial service for the late Gov. Wm. Larrabee.

Passed on file.

REPORTS OF COMMITTEES.

Senator Savage, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate File No. 72, a bill for an act to repeal sections two (2), four (4), and nine (9) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth General Assembly and to enact substitutes therefor, relating to the training of teachers for rural schools and making appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend the title, adding after the comma (,) in the third line the following: "and amend section eight (8) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth (34) General Assembly." Amend the said bill as follows:

"SEC. 4. That section eight (8) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth General Assembly be and the same is hereby amended by striking out all of said section after the period (.) following the word 'certificates' in line five (5) of said section and substituting in lieu thereof the following:

'At the expiration of said certificates the superintendent of public instruction is authorized to renew it for a period of three (3) years under the same conditions that apply to the renewal of first grade uniform county certificates.'"; and when so amended the bill do pass, after being referred to the committee on Appropriations.

A. C. SAVAGE,
Chairman.

Adopted.

So the bill was referred to committee on Appropriations.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 25, a bill for an act in relation to assessments for benefits to roads, streets, and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued, being amendatory to the law as it appears in sections 1989-a-19, 1989-a-26, 1989-a-27 and 1989-a-38 of the Supplement to the Code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-third General Assembly and chapter 120 of the Thirty-third General Assembly, beg leave to report they have had the same under consideration and recommend the same be amended by striking out section 5 and renumbering the present section 6 as section 5, and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 97, a bill for an act to amend section 2575-a-15 of the 1907 Supplement to the Code, relating to the reporting of deaths by assessors, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 135, a bill for an act to amend section 3377 of the Code, relating to the election between the distributive share and occupancy of homestead by surviving spouse and setting off such distributive share, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 73, a bill for an act to amend the law as it appears in section 2604, Supplement to the Code, 1907, in regard to the qualifications of certain officers of the Soldiers' Home, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 73.

A BILL FOR AN ACT to Amend the Law as it Appears in Section 2604, Supplement to the Code, 1907, in Regard to the Qualifications of Certain Officers of the Soldiers' Home.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 2604, Supplement to the Code, 1907, is hereby amended by adding thereto the following:

If at any time a vacancy shall exist in the office of commandant, adjutant or quartermaster, and a suitable person who has an honorable discharge from the United States army or navy is not available for the office, it shall be lawful to appoint any other person otherwise properly qualified to fill the position.

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.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 32, a bill for an act to amend the law as it appears in section 265 of the Code, relating to the clerk of the superior court, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following amendment:

Amend section 1 by striking out the period at the end of the section and adding thereto the following: "as clerk of said court"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 120, a bill for an act to legalize certain warrants of the city of Marshalltown, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Arney, Senate File No. 120, a bill for an act to legalize certain warrants of the city of Marshalltown, 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 Arney moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balluff, Boe, Chase, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Clarkson, Goodwin, Jewell, McManus, Quigley, Ream, Webber—9.

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

On request of Senator Smith, leave of absence was granted Senator Jewell on account of illness.

On request of Senator Dunnegan, leave of absence was granted Senator McManus for the day.

On request of Senator Taylor, leave of absence was granted Senator Webber for the day.

Journal of yesterday was taken up, corrected and approved.

INTRODUCTION OF BILLS.

By Senator Chase, Senate File No. 169, a bill for an act to change the burden of proof where contributory negligence is relied on as a defense and to provide rules of procedure in such cases.

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

By Senator Taylor, Senate File No. 170, a bill for an act relating to the practice of dentistry, and to repeal sections twenty-six hundred-i (2600-i) and twenty-six hundred-j (2600-j), of the supplement to the code, 1907.

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

By Senator Allen, Senate File No. 171, a bill for an act to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, and real estate brokers in the state of Iowa.

Read first and second time and referred to committee on Cities and Towns.

President announced the Senate would be at ease, subject to the call of the president.

The Senate was at ease.

Senate was called to order at 11:40.

INTRODUCTION OF BILLS.

By Senator Sullivan, Senate File No. 172, a bill for an act to appropriate the sum of fifty thousand dollars ($50,000.00) to be used for the purpose of promoting an exposition to be held in the city of Des Moines, Iowa, during the summer or fall of 1913 for the display of evidences of the progress of the negro race in the state of Iowa during the fifty years since emancipation.

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

Senator Crow moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 6, 1913.

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

Prayer was offered by Rev. S. C. Wadding of Albion, Iowa.

INTRODUCTION OF BILLS.

By Senator Mattes, Senate File No. 173, a bill for an act prescribing the liability of employers for accidental bodily injuries or death sustained by their employes; providing for compensation for accidental bodily injuries to or death of employes and methods of payment of same; restricting the right of recovery to the compensation as provided; providing for a review of awards thereof; providing for the creation of the bureau of industries and fixing its powers; providing for safety devices and safeguards; providing duties of employers and employes and fixing penalties for violation thereof; providing for hearings before such bureau and for actions against it; fixing the bureau's powers in respect to industrial accidents and making appropriations for carrying out of this act.

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

By Senator Perkins, Senate File No. 174, a bill for an act to amend the law relating to the sale of concentrated feeding stuffs, as it appears in section five thousand seventy-seven-a-eight (5077-a-8) of the supplement to the code, 1907.

Read first and second time and referred to committee on Food and Dairy.

By Senator Spaulding, Senate File No. 175, a bill for an act repealing section twenty-three hundred and forty-eight (2348)

of the code, 1897, and enacting a substitute therefor, providing for a bounty on wild animals and the proof necessary to secure such bounty.

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

By Senator Balluff, Senate File No. 176, a bill for an act to amend section one (1) of chapter sixty-eight (68) of the acts of the Thirty-fourth General Assembly relating to the assessment and collection of a tax upon collateral estates, annuities, legacies, bequests, gifts, transfers and inheritances.

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

By Senator Robinson, Senate File No. 177, a bill for an act to repeal the law as it appears in sections six hundred forty-seven (647), six hundred forty-eight (648), and six hundred fifty-one (651), of the supplement of the code, 1907, and to enact substitutes therefor, relative to the election and appointment of certain officers in cities and towns.

Read first and second time and referred to committee on Cities and Towns.

By Senator Robinson, Senate File No. 178, a bill for an act to repeal the law as it appears in section seven hundred eleven (711) of the code and enacting a substitute therefor relative to the powers of cities and towns in respect to prevention of fires, accidents from electrical apparatus, fire limits and the erection of structures within fire limits.

Read first and second time and referred to committee on Cities and Towns.

By Senator Robinson, Senate File No. 179, a bill for an act authorizing cities to enact ordinances regulating the construction, alteration, enlargement or repair of buildings and structures, and to provide for the enforcement thereof.

Read first and second time and referred to committee on Cities and Towns.

By Senator Robinson, Senate File No. 180, a bill for an act to amend the law as it appears in section 2727-a-64 of the supplement to the code, 1907, entitled "removal of patients from county asylum."

Read first and second time and referred to committee on Board of Control and its Institutions.

Senator Arney offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring, That: First. WHEREAS: The people of Iowa are confronted with a great problem touching the future policy of higher education in the state; and,

Second. WHEREAS: The interests of our three great state educational institutions demand a wise and prompt solution of this problem; and,

Third, WHEREAS: The membership of the House and Senate should be fully conversant with the actions of the Board of Education in dealing with the same, and with the reasons that may be urged, for and against such action; therefore,

Be it resolved, That the House and Senate meet in joint executive session at one p. m. February thirteenth, for the purpose of a joint hearing on the question of the future policy of higher education in Iowa.

Laid over under the rules.

Senator Chase offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring, That the joint committee on Retrenchment and Reform under and by virtue of Joint Resolution No. 9, is respectfully requested to examine the receipts and the expenditures of the Iowa State Fair for the past two years and submit a special report to this General Assembly with any recommendations that may seem proper, looking toward retrenchment and the reduction of expenses in the conduct of the State Fair and to suggest any changes that will promote the economical administration of its affairs.

By unanimous consent the resolution was taken up for consideration.

Senator Chase moved the adoption of the resolution.

Adopted.

Senator Quigley offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION.

Memorializing the Members of Congress to Use Their Influence for the Conservation of Fish and Regulation of the Fish Industry.

WHEREAS: The United States government has not granted to the states bordering on the navigable lakes and rivers, any rights of ownership or control of ice, water or fish contained therein; and,

WHEREAS: A profitable and important industry has grown up; engaged in by substantial men of means, who furnish equipment and employment to a very large number of well-paid laborers, who are industrious, respectable and worthy citizens and who are bread-winners for large families dependant upon them for support; and,

WHEREAS: There is an abuse and profligate waste in this great source of food supply, on account of the present methods of catching fish with seines and nets of various kinds with too small mesh, thereby taking young fish that are too small for profit and should be left in the water to grow, also by drawing seines over spawning beds and destroying spawn and young fish; and,

WHEREAS: The small lakes, sloughs and bayous in which the young fish are bred, and in which the young fish stay are usually shallow in the fall and partially land-locked at the outlets, so that when winter comes the young fish are shut up and many millions of them smothered, frozen and killed in these land-locked outlets, causing a much greater destruction on the Mississippi river alone than could be replaced with a thousand government hatcheries; and,

WHEREAS: The United States Fisheries Department are now seining from these waters many carloads of small fish, and transporting them to the smaller inland lakes and streams; and,

WHEREAS: Some states have passed prohibitive laws against fishing, other states have licensed fishing in the same waters, on account of which an injustice is done to those engaged in fishing and to the people who need the supply of fish for food; and causing continued expensive litigation; and,

WHEREAS: The laws, rules and regulations for the conservation and catching of fish should be uniform over the entire boundary river or lake; and,

WHEREAS: By the use of less than one-third of the present appropriation for propagating and distributing fish, these lakes, sloughs and bayous can be ditched and opened so that young fish can escape to the deeper water and be saved; and,

WHEREAS: We deem it for the best interest of all the people of the states that Congress shall pass suitable laws for the protection and preservation of fish as a food supply and regulating the time and methods of catching fish for market; and,

WHEREAS: We believe that if the United States Congress will enact a law forbidding the use of seines, nets, etc., with less than two and one-half inch mesh for catching fish, and prohibiting the use of seines and nets of all kinds during spawning season, such laws will be easily enforced for the reason that a large majority of the people engaged in catching, buying and selling fish desire such a law and will comply with it, and will for the protection of their business assist in the enforcement; now, therefore,

Be it resolved, That we urge our senators and representatives in Congress to pass laws for the regulation of the fish industry and the preservation of fish on all navigable boundary lakes and rivers.

Providing for a closure during spawning season, in the various latitudes. Providing for ditching small lakes, ponds, sloughs, and bayous to a depth sufficient to allow young fish to escape into deep water, and providing that no seine or net of any kind shall be used for catching fish that is less than two and one-half inch mesh except minnow seines, which shall not exceed twenty-four feet in length.

Resolved, That a copy of this memorial and resolution be forwarded to each of the Iowa senators and representatives.

Laid over under the rules.

Report of committee on Public Lands on Senate File No. 29.

MR. PRESIDENT—Your committee on Public Lands, to whom was referred Senate File No. 29, beg leave to report that they have examined same and recommend the bill do pass.

JAMES M. WILSON,
Chairman.

Adopted.

REPORTS OF COMMITTEES.

Senator Jones, from the committee on Penitentiaries and Pardons, submitted the folowing report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred Senate File No. 139, a bill for an act to amend the law as it appears in section fifty-seven hundred seven (5707) of the Supple-

ment to the Code of 1907, relating to the breaking of stone, beg leave to report they have had the same under consideration and recommend the same do pass.

F. F. JONES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred Senate File No. 142, a bill for an act to repeal chapter one hundred thirty-seven (137) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the support of the industrial schools, beg leave to report they have had the same under consideration and recommend the same do pass, after first being referred to Committee on Appropriations.

F. F. JONES,
Chairman.

Adopted.

So the bill was referred to committee on Appropriations.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House Joint Resolution No. 9, authorizing the joint committee on Retrenchment and Reform to employ expert accountants and efficiency engineers, to institute reform, and appropriating funds therefor.

JOHN H. TAYLOR,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 84, a bill for an act to legalize a special election held in the city of Carroll, Iowa, at which was submitted the question of granting a franchise for the establishment of gas works and the use of the streets, alleys and public grounds of said city in connection therewith; and to legalize an ordi-

nance passed by the city council of said city granting said franchise; and legalizing all acts of said city, and its council, in connection with the grant of the same.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled House Joint Resolution No. 9, authorizing the joint committee on Retrenchment and Reform to employ expert accountants and efficiency engineers, to institute reform, and appropriating funds therefor.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

Also:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled Senate File No. 84, a bill for an act to legalize a special election held in the city of Carroll, Iowa, at which was submitted the question of granting a franchise for the establishment of gas works and the use of the streets, alleys and public grounds of said city in connection therewith; and to legalize an ordinance passed by the city council of said city granting said franchise; and legalizing all acts of said city, and its council, in connection with the grant of the same.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

President Harding announced that as President of the Senate, in the presence of the Senate, he had signed Senate File No. 84, Senate File No. 49, House Joint Resolution No. 7 and House Joint Resolution No. 9.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 49, a bill for an act making appropriation to defray the expenses of the inaugural ceremonies.

JOHN H. TAYLOR,
Chairman.

Passed on file.

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. 84, a bill for an act to legalize a special election held in the city of Carroll, Iowa, at which was submitted the question of granting a franchise for the establishment of gas works and the use of the streets, alleys and public grounds of said city in connection therewith; and to legalize an ordinance passed by the city council of said city granting said franchise; and legalizing all acts of said city, and its council, in connection with the grant of the same.

JOHN H. TAYLOR,
Chairman.

Passed on file.

THIRD READING OF BILLS.

On motion of Senator Cowles, Senate File No. 29, a bill for an act to transfer to the city of Burlington, Iowa, the title, use and control of a certain island in the Mississippi river near the city of Burlington, Iowa, known as Otter island, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend section 3 by inserting the words "supplement to the" before the word "code" in the fourth line of said section of the original bill.

Adopted.

Senator Clarkson offered the following amendment and moved its adoption:

I move to amend by adding the following:

Insert the words "in trust for the state" following the word "held", line 4, section 1 of the printed bill.

Lost.

The bill as amended was read for information.

Senator Cowles moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—45.

The nays were:

None.

Absent or not voting:

Francis, Goodwin, Jewell, Savage—4.

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

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House Concurrent Resolution providing for a joint executive session of the Thirty-fifth General Assembly for the purpose of considering the future policy of higher education in Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 amend section 615 of the Supplement to the Code, 1907, relative to the extension of the limits of cities and towns.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 3181 of the Supplement to the Code, 1907, relative to divorce.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 44, a bill for an act to amend section 616 of the Code, relative to taxation of unplatted lands within the limits of cities and towns.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 25, a bill for an act to amend section 2448-9 of the Supplement to the Code, 1907, regulating the hours of the day during which liquor may be sold in licensed saloons.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 103, a bill for an act to limit and restrict the jurisdiction of the supreme court in passing upon the constitutionality of acts of the General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 78, a bill for an act to amend section 2157-s of the Supplement to the Code, 1907, relating to the transportation of live stock.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 15, a bill for an act to provide for the selection of additional jurors in the place of jurors who may die or be discharged.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 134, a bill for an act relative to levy of special taxes by cities.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 127, a bill for an act relative to qualifications of certain officers of the Soldiers' Home.

A. C. GUSTAFSON,
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. 10, relative to compensation of additional employes of the Thirty-fifth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Spaulding, Senate File No. 32, a bill for an act to amend the law as it appears in section 265 of the code relating to the clerk of the superior court, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Spaulding offered the following amendment and moved its adoption:

Amend section 1 by striking out the period at the end of the section and adding thereto the following "as clerk of said court."

Adopted.

The bill as amended was read for information.

Senator Spaulding moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Arney, Cowles, DeWolf, Francis, Goodwin, Jewell, Mattes, McManus, Savage—9.

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

On request of Senator Smith, leave of absence was granted Senator Jewell until he recovers.

On request of Senator Smith, leave of absence was granted Senator Francis on account of sickness.

On request of Senator Neal, leave of absence was granted Senator Savage for today.

THIRD READING OF BILLS.

On motion of Senator Quigley, Senate File No. 135, a bill for an act to amend section 3377 of the code relating to the election between the distributive share and occupancy of homestead by surviving spouse and setting off such distributive share, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clarkson offered the following amendment and moved its adoption:

I move to amend the bill by adding the following after the word "share" in line 10 of the printed bill.

But this act shall not apply to actions now pending in court.

Adopted.

Senator Quigley moved that the rules be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—43.

The nays were:

None.

Absent or not voting:

Francis, Goodwin, Jewell, McManus, Savage, White—6.

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

On motion of Senator Perkins, Senate File No. 152, a bill for an act to fix the date of the counting of the votes for governor and lieutenant governor and fixing the date of the inauguration of governor and lieutenant governor, was taken up and considered.

Senator Perkins moved that the rules be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

DeWolf, Francis, Goodwin, Jewell, McManus, Savage, White—7.

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

On motion of Senator Perkins, Senate File No. 153, a bill for an act to authorize senators holding over and members of the House and Senate holding certificates of election, to file with the secretary of state and have printed before the meeting of the general assembly, any bill for a law that he may intend to present to the consideration of that body, was taken up and considered.

Senator Perkins 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.

Senator Perkins moved to reconsider the vote by which the bill passed to its third reading.

Carried.

Senator Perkins offered the following amendments and moved its adoption:

Amend section one by inserting after the word "filed" and before the word "ten" in the fourth (4th) line the words "not less than" and after the word "days" and before the word "be-

fore'' in the same line of section one, the words ''not more than thirty days''.

Adopted.

Senator Sullivan offered the following amendment and moved its adoption:

I move to strike out the word ''senate'' in the third line and the word ''house'' in the fourth line of section 3 of the printed bill.

Adopted.

Senator Schrup offered the following amendment and moved its adoption:

I move to amend by adding the following after the word ''filed'' in line 2 of section 3, ''and mail a copy to each member of the next general assembly''.

Lost.

Senator Perkins moved that the rules be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, ''Shall the bill pass?''

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Darrah, DeWolf, Doran, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

Crow, Dunnegan, Francis, Goodwin, Jewell, Savage, Schrup—7.

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

INTRODUCTION OF BILLS.

By Senator Neal, Senate File No. 181, a bill for an act to repeal section twenty-one (21) and to amend section twenty-four (24) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly known as "The Military Code of Iowa."

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

By Senator Neal, Senate File No. 182, a bill for an act to amend sections twenty-six (26) and forty-three (43) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly known as "The Military Code of Iowa".

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

REPORT OF COMMITTEE.

Senator Jones, 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. 44, a bill for an act to fix the compensation of the wardens and of certain officers and employes of the reformatory at Anamosa and the state penitentiary at Fort Madison, and to enlarge the support fund of said institutions; repealing sections five thousand seven hundred and seventeen (5717) and five thousand seven hundred and eighteen (5718) of chapter two (2), title twenty-six (XXVI) of the Code, and the law as found in sections five thousand seven hundred and sixteen (5716) and five thousand seven hundred and eighteen-a-twenty-eight (5718-a-28), chapter two (2), title twenty-six (XXVI) of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute bill, and that said substitute do pass after being referred to committee on Appropriations:

SUBSTITUTE FOR SENATE FILE NO. 44.

A BILL FOR AN ACT to Repeal the Law as it Appears in Sections Fifty-six Hundred Sixty-nine-a (5669-a), Fifty-seven Hundred Sixteen (5716) and Fifty-seven Hundred Eighteen-a-28 (5718-a-28) of the Supplement to the Code of 1907, and in sections Fifty-seven Hundred Seventeen (5717) and Fifty-seven Hundred Eighteen (5718) of the Code and to

Enact Substitutes Therefor Providing for the Compensation and Allowances of Officers and Employes of the Reformatory at Anamosa and the Penitentiary at Fort Madison.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the law as it appears in section fifty-seven hundred sixteen (5716) of the Supplement to the Code of 1907 is hereby repealed and in lieu thereof is enacted the following:

SEC. 5716. The officers and employes of the reformatory at Anamosa and the penitentiary at Fort Madison, hereinafter specified, shall be paid for their services each month, sums to be fixed by the board of control of state institutions, not exceeding, however, the sums specified as follows: The warden two hundred fifty dollars, the deputy warden one hundred twenty-five dollars, the assistant deputy warden one hundred dollars, the clerk one hundred dollars, the chaplain one hundred twenty dollars, an additional chaplain twenty dollars, matron of the women's department seventy-five dollars, the physician and surgeon of the reformatory at Anamosa one hundred twenty-five dollars, the physician and surgeon of the penitentiary at Fort Madison one hundred dollars, the kitchen stewards, receiving and disbursing officers, record clerks and captains of night guards, each eighty-three dollars thirty-four cents, but turnkeys and guards of the first class shall receive eighty dollars, turnkeys and guards of the second class seventy-five dollars, turnkeys and guards of the third class sixty-five dollars.

Other officers and employes in the opinion of the board of control of state institutions needed to carry on the various departments of the prisons properly and efficiently may be authorized and their salaries fixed by said board, subject to the approval of the governor as provided by the law as found in section twenty-seven hundred twenty-seven-a-thirty-eight (2727-a-38) of the Supplement to the Code of 1907. The salaries and wages herein authorized shall be paid by the state treasurer from any money in the state treasury not otherwise appropriated, upon certified abstracts as provided by the law as it appears in section twenty-seven hundred twenty-seven-a-forty-three (2727-a-43) of the Supplement to the Code of 1907.

SEC. 2. The law as it appears in section fifty-seven hundred seventeen (5717) of the Code and in section fifty-six hundred sixty-nine-a (5669-a) and section fifty-seven hundred eighteen-a-twenty-eight (5718-a-28) of the Supplement to the Code of 1907 is hereby repealed and in lieu thereof is enacted the following:

SEC. 5717. In addition to his salary each warden shall be provided with a furnished house to be designated by the board of control, or house rent and water, heat, ice and lights, food supplies from the supplies purchased for the prisoners, for himself, wife and minor children, and the labor of prisoners not exceeding three at one time for household and

other domestic service. Each deputy warden shall be furnished with a house to be designated by the board of control, or house rent and water, heat, ice and lights and domestic service by not more than one prisoner at one time.

The matron of the female department shall be allowed in addition to her salary furnished apartment, heat, light, food supplies and domestic service within the building occupied by the women's department.

The prison labor authorized by this section shall not be used except on the premises and for the benefit of the person authorized to use it and for his family. Provided, however, that no labor of prisoners shall be used in a manner to prejudice prison discipline.

SEC. 3. Section fifty-seven hundred eighteen (5718) of the Code is hereby repealed and in lieu thereof is enacted the following:

SEC. 5718. For the general support of the prisoners confined in the reformatory at Anamosa and the penitentiary at Fort Madison there shall be paid from any money in the state treasury not otherwise appropriated the sum of eleven dollars fifty cents monthly for each prisoner in the reformatory and eleven dollars monthly for each prisoner in the penitentiary, to be estimated by the average number present during the preceding month. Said sums shall be drawn from the state treasury as provided by the law as it appears in section twenty-seven hundred twenty-seven-a-forty-three (2727-a-43) of the Supplement to the Code of 1907.

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.

F. F. JONES,
Chairman.

Substitute read first and second time.

Report adopted.

So the bill was referred to committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Legel, Senate File No. 183, a bill for an act to amend the law as it appears in section twenty-seven hundred seventy-eight (2778), supplement to the code, 1907, and to provide for the employment of school superintendents for a term of years.

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

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

INTRODUCTION OF BILLS.

By Senator Quigley, Senate File No. 184, a bill for an act to amend section 2561, as it appears in the supplement to the code of 1907, for the protection of birds.

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

Senator Thomas filed the following motion:

I move to reconsider the vote whereby Senate File No. 152 passed the Senate, and the vote by which said bill was ordered read the third time, and engrossed, and whereby the rules of the Senate were suspended.

C. H. THOMAS.

Senator White moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 7, 1913.

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

Prayer was offered by Rev. John Newton Strain of Afton, Iowa.

PETITIONS AND MEMORIALS.

Senator Malmberg presented a petition of citizens of Newton in reference to the Panama Canal.

Referred to committee on Appropriations.

Senator Gillette presented a petition of citizens of Cherokee protesting against the passage of House File No. 130.

Referred to committee on Public Schools.

Senator Webber presented a petition of citizens of Wapello county asking for the enactment of a law that will provide that all money received from the auto license taxes shall be expended in the county from which the license tax money is received.

Referred to committee on Roads and Highways.

Senator Webber presented a petition of citizens of Ottumwa, Iowa, protesting against the passage of a law prohibiting intermarriage of the races.

Referred to committee on Judiciary.

Senator McColl presented a petition of trustees of the various townships of Dallas county protesting against the formation of a state highway commission.

Referred to committee on Roads and Highways.

INTRODUCTION OF BILLS.

By Senator Webber, Senate File No. 185, a bill for an act establishing the state colony for epileptics and making an appropriation for the purchase of land and the erection of buildings for said colony.

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

By Senator Heald, Senate File No. 186, a bill for an act to repeal section four hundred seventy-nine (479) of the supplement to the code of 1907 and to enact a substitute therefor relating to the compensation of county auditors.

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

By Senator Thomas, Senate File No. 187, a bill for an act to establish three additional state normal schools and for the location of same and procure sites therefor, and making an appropriation therefor.

Read first and second time and referred to committee on Educational Institutions.

By Senator Wilson of Appanoose, Senate File No. 188, a bill for an act to provide for the assessment and taxation of osage, willow and other hedge fences adjacent to public highways.

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

By Senator Mattes, Senate File No. 189, a bill for an act creating the office of state examiners for counties, fixing their compensation, duties, terms of office and method of appointment, providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, reports and audits for counties, and providing penalties for violations of this act.

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

Senator Doran offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring, That an immediate investigation be had and a prompt report made to the Senate and House of the findings of the committee having in charge the investigation of the Iowa State Fair, by virtue of a concurrent resolution offered by Senator Chase in this chamber yesterday; and House Joint Resolution No. 9 to the end that the General Assembly may have the necessary information for prompt and intelligent action.

By unanimous consent the resolution was taken up for consideration.

Senator Doran moved the adoption of the resolution.

Adopted.

HOUSE MESSAGE CONSIDERED.

HOUSE CONCURRENT RESOLUTION.

Be it resolved by the House, the Senate concurring, That: First. WHEREAS: The people of Iowa are confronted with a great problem touching the future policy of higher education in the state; and,

Second. WHEREAS: The interests of our three great educational institutions demand a wise and prompt solution of this problem; and,

Third. WHEREAS: The membership of the House and Senate should be fully conversant with the actions of the Board of Education in dealing with the same, and with the reasons that may be urged, for and against such action; therefore,

Be it resolved, That the House and Senate meet in joint executive session at one p. m. February thirteen, for the purpose of a joint hearing on the question of the future policy of higher education in Iowa.

Senator Arney moved the adoption of the following amendment:

I move to strike out the word "executive" where it appears in the resolution.

Adopted.

Senator Arney moved the adoption of the resolution as amended.

Adopted.

HOUSE MESSAGES CONSIDERED.

House File No. 48, a bill for an act to amend section six hundred fifteen (615) of the supplement to the code, 1907, relative to the extension of the limits of cities and towns.

Read first and second time and referred to committee on Cities and Towns.

House File No. 18, a bill for an act to repeal section thirty-one hundred eighty-one (3181) of the supplement to the code relative to divorce, annulling marriages, and alimony.

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

House File No. 44, a bill for an act to amend section six hundred sixteen (616) of the code relative to taxation of unplatted lands within the limits of cities and towns.

Read first and second time and referred to committee on Cities and Towns.

House File No. 25, a bill for an act to amend section twenty-four hundred forty-eight paragraph nine (2448-9) of the supplement to the code, 1907, regulating the hours of the day during which liquor may be sold in licensed saloons.

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

House File No. 103, a bill for an act to limit and restrict the jurisdiction and power of the supreme court, in passing upon the constitutionality of acts of the general assembly.

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

House File No. 78, a bill for an act to amend the law as it appears in section twenty-one hundred and fifty-seven-s (2157-s) supplement to the code, 1907, relating to the transportation of live stock.

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

House File No. 15, a bill for an act to provide for the selection in the district court of additional trial jurors, to provide for the procedure therefor, and for the substitution of such additional jurors in place of jurors who may die or be discharged.

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

House File No. 134, a bill for an act to amend the law as it appears in paragraph eight (8) of section eight hundred and ninety-four (894) of the supplement to the code, 1907, relating to the levy of special taxes by cities.

Read first and second time and referred to committee on Cities and Towns.

HOUSE JOINT RESOLUTION NO. 10.

House Joint Resolution Amending Senate Joint Resolution No. 1 of the Thirty-fifth (35th) General Assembly Relating to the Compensation of Additional Employes of the Thirty-fifth General Assembly.

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

SECTION 1. That section one (1) of said Senate Joint Resolution No. 1, adopted January 16, 1913, be and the same is hereby amended by striking out of lines 6 and 7 thereof the words "seventy dollars per month" and inserting in lieu thereof "three dollars per day from and after February 1, 1913."

SEC. 2. That section ten (10) of said Joint Resolution No. 1 be and the same is hereby amended by striking out of line 3 of said section the words "seventy dollars per month" and inserting in lieu thereof the words "three dollars per day from and after February 1, 1913."

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

HOUSE MESSAGE CONSIDERED.

House File No. 127, a bill for an act to amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code 1907 in regard to the qualifications of certain officers of the Soldiers' Home.

Read first and second time.

Senator Arney moved that House File No. 127 be placed on the calendar for consideration.

Carried.

REPORTS OF COMMITTEE.

Senator Sullivan, 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. 110, a bill for an act to amend the law as it appears in section ten hundred and fifty-six-a-nine (1056-a-9) of the Supplement to the Code, 1907, relating to municipal accounting of cities and towns, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 103, a bill for an act to amend the law as it appears in section one (1), chapter thirty-seven (37) of the laws of the Thirty-fourth General Assembly of Iowa, relating to smoke nuisances in certain cities, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute, including title:

SUBSTITUTE FOR SENATE FILE NO. 103.

A BILL FOR AN ACT Declaring the Emission of Smoke Within the Corporate Limits of Certain Cities, Including Cities Acting Under Special Charter, to be a Public Nuisance and Conferring Upon Such Cities Additional Powers for the Abatement of Such Nuisances (Additional to Chapters Four (4) and Fourteen (14) of Title Five (V) of the Code.)

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. The emission of dense smoke within the corporate limits of the cities of the state, including cities acting under special charter or the commission form of government, now or hereafter having a population of twenty-two thousand (22,000) inhabitants or over, is hereby declared a nuisance.

SEC. 2. Every such city is hereby empowered to provide by ordinance for the abatement of such nuisance either by fine or imprisonment or by action in the district court of the county in which such city is located, or by both; such action to be prosecuted in the name of the city. They may also by ordinance provide all necessary rules and regulations for smoke inspection and the abatement and prevention of the smoke nuisance.

SEC. 3. That chapter thirty-seven (37) of the laws of the Thirty-fourth General Assembly be and the same is hereby repealed.

SEC. 4. This act being deemed of immediate importance, it 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 Sioux City Journal, a newspaper published at Sioux City, Iowa; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

The President announced that in the absence of Senator Francis, chairman of the Judiciary committee, on account of illness, that he would appoint Senator Sullivan to act as chairman in the absence of Senator Francis.

The President announced that on account of the sickness of Senator Jewell, chairman of the committee on Public Health, he would ask Senator Smith to act as chairman of the committee during Senator Jewell's absence.

Owing to the absence of Senator Francis, chairman of the committee on the Goodwin vs. Kimball contest of the nineteenth senatorial district, the President announced that he would appoint Senator Heald as another member on the contest committee, and that Senator Cowles would act as chairman of that committee during the absence of Senator Francis.

Senator Chase called up for consideration the concurrent resolution relative to attorneys' fees in contests for seats in the House and Senate.

Senator Chase moved that the Senate concur in the following House amendment:

House Amendment: Amend concurrent resolution relative to attorneys' fees in the case of contested elections by striking out all after the word "allowed" at the end of the eighth line, and substitute therefor the following: "to either the defeated or successful occupant or the successful contestant for any seat, shall not exceed one hundred dollars ($100.00) and that no attorneys' fees or expenses of attorneys in such cases, shall be allowed."

Motion lost.

So the Senate refused to concur in the House amendment.

THIRD READING OF BILLS.

On motion of Senator Arney, House File No. 127, a bill for an act to amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code 1907 in regard to the qualifications of certain officers of the Soldiers' Home, was taken up and considered.

Senator Arney moved that the rule by which no bill can be read a second and third time the same day be suspended.

Carried.

The bill was read for information.

Senator Arney moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hilsinger, Jones, Larrabee, Malmberg, Mattes, McColl, McManus, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

Neal, Nye, Savage—3.

Absent or not voting:

Allen, Cowles, DeWolf, Francis, Goodwin, Heald, Jewell, Legel, Quigley—9.

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

On motion of Senator Thomas, the Senate took up for consideration Senate File No. 152, a bill for an act to fix the date of the counting of the votes for governor and lieutenant governor and fixing the date of the inauguration of governor and lieutenant governor.

Senator Thomas called up for consideration the motion filed by him to reconsider the vote by which the bill was passed and by which the bill passed to its third reading.

The motion to reconsider prevailed.

Senator Thomas offered the following amendment and moved its adoption:

"In line three after the word 'Wednesday' and before the word 'the' add the following, 'or when the canvass is completed'."

Adopted.

Senator Balluff offered the following amendment and moved its adoption:

"I move to amend Senate File No. 152 by adding after the word 'January' in the first line of the printed bill, the following, 'or as soon thereafter as both houses have been organized'."

Adopted.

The bill as amended was read for information.

Further consideration of the bill was postponed.

The time having arrived for the special order, the Senate took up for consideration the rules and amendments as offered by the committee on Rules.

Senator Perkins moved the adoption of the amendment to rule twenty-b (20-b).

Senator Smith moved that the motion of Senator Perkins be laid on the table.

On the motion a roll call was demanded.

Those favoring the motion to lay on the table were:

Arney, Crow, Doran, Dunnegan, Legel, McColl, Nye, Ream, Smith, Wilson of Appanoose—10.

The nays were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Farr, Fellows, Garrett, Gillette, Hilsinger, Jones, Larrabee, Malmberg, Mattes, Neal, Perkins, Robinson, Schrup, Sheean, Spaulding, Taylor, Thomas, Webber, White, Wilson of Clinton—30.

Absent or not voting:

Cowles, Francis, Goodwin, Heald, Jewell, McManus, Quigley, Savage, Sullivan—9.

So the motion was lost.

Senator Ames offered the following amendment and moved its adoption:

I move to amend by changing the figures 10 to 30 in line one of the rule be as it appears in the Journal of the Senate.

Adopted.

Senator DeWolf offered the following amendment and moved its adoption:

Amend by changing the figure 30 to 20.

Lost.

Senator Clarkson moved to amend by striking out the word 30 and inserting the word 20.

On the adoption of the amendment a roll call was demanded.

Those favoring the adoption of the amendment were:

Allen, Ames, Balkema, Balluff, Boe, Clarkson, Crist, DeWolf, Farr, Fellows, Heald, Hilsinger, Jones, Mattes, Perkins, Savage, Schrup, Spaulding, Thomas, Webber, Wilson of Clinton—21.

The nays were:

Arney, Chase, Crow, Darrah, Doran, Dunnegan, Garrett, Gillette, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Sheean, Smith, Sullivan, Taylor, White, Wilson of Appanoose—24.

Absent or not voting:

Cowles, Francis, Goodwin, Jewell—4.

So the amendment was lost.

On the motion of Senator Perkins to adopt rule 20-b as amended, a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Balkema, Balluff, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Garrett, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

Arney, Boe, Gillette, Smith—4.

Absent or not voting:

None.

So the amendment was adopted.

Senator Perkins moved that rule 20-d be adopted.

Senator Smith offered the following amendment and moved its adoption:

I move to amend division d of the rules by striking out the word "February" and inserting the word "March".

Lost.

The motion of Senator Perkins prevailed.

Senator Perkins moved the adoption of rule 19 as amended by the committee on Rules.

Adopted.

Senator Perkins moved the adoption of rule 20 as amended by committee on Rules.

Senator Darrah moved that further consideration of the rules be postponed until tomorrow at 11 o'clock.

Motion declared out of order.

Motion to adopt rule 20 as amended prevailed.

Senator Darrah moved that further consideration of the rules be postponed until 11 o'clock tomorrow.

Motion carried.

Senator Arney asked unanimous consent to withdraw from the consideration of the Senate, Senate File No. 73.

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. 12, a bill for an act to amend section 2634-f of the Supplement to the Code, relative to professional fitness and scholarship for a state certificate.

A. C. GUSTAFSON,
Chief Clerk

Also:

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

House File No. 6, a bill for an act to amend section 284-a of the Supplement to the Code, relative to school loans.

A. C. GUSTAFSON,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to 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 to amend chapter 64 of the acts of the Thirty-third General Assembly relative to the government of certain cities.

A. C. GUSTAFSON,
Chief Clerk

Also:

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

Senate Concurrent Resolution relative to investigation of Iowa State Fair finances.

A. C. GUSTAFSON,
Chief Clerk

Also:

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

House File No. 135, a bill for an act to amend chapter 64, acts of the Thirty-third General Assembly relating to government of certain cities.

A. C. GUSTAFSON,
Chief Clerk

Also:

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

House File No. 40, a bill for an act relative to promises of support or influence by candidates for office.

A. C. GUSTAFSON,
Chief Clerk

INTRODUCTION OF BILLS.

Senator Smith was given unanimous consent to introduce the following bill:

By Senator Smith, Senate File No. 190, a bill for an act to provide for the appointment of a state registrar of vital statistics and for the immediate registration of all births and deaths throughout the state of Iowa by means of certificates of births and deaths; and burial or removal permits; to require prompt returns to the bureau of vital statistics at the capital of the state, as required to be established by the state registrar of vital statistics; to insure the thorough organiatzion and efficiency of the registration of vital statistics throughout the state; to provide cerain penalties; to repeal sections twenty-five hundred seventy-five-a eleven, twenty-five hundred seventy-five-a twelve, twenty-five hundred seventy-five-a thirteen, twenty-five hundred seventy-five-a fourteen and twenty-five hundred seventy-five-a fifteen of the supplement of 1907 to the code of Iowa, and all acts and parts of acts in conflict herewith and to appropriate ten thousand dollars ($10,000) therefor.

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

Senator Legel was given unanimous consent to introduce the following bill:

By Senator Legel, Senate File No. 191, a bill for an act for the prevention of accidents, providing indemnity to employees, creating a fund for the purpose, securing contributions thereto, creating a board and fixing their powers and duties relating to the subject matters of this act.

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

Senator Crow moved that Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 8, 1913.

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

Prayer was offered by Rev. E. F. Leake of Newton, Iowa.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 152, a bill for an act to fix the date of the counting of the votes for governor and lieutenant governor and fixing the date of the inauguration of governor and lieutenant governor.

Senator Jones offered the following amendment and moved its adoption:

Strike out the words "on the following Wednesday or".

Adopted.

Bill as amended was read for information.

Senator Perkins moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Allen, Cowles, DeWolf, Francis, Goodwin, Heald, Jewell, Savage, Webber—9.

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

On request of Senator Hilsinger, leave of absence was granted Senator Heald for the day.

On request of Senator Quigley, leave of absence was granted Senator Cowles for the day.

INTRODUCTION OF BILLS.

By Senator McColl, Senate File No. 192, a bill for an act additional to chapter 5, title 10 of the code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same.

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

By Senator Legel, Senate File No. 193, a bill for an act to repeal sections thirty-five hundred forty-three (3543) and thirty-five hundred forty-four (3544) of the code of Iowa, 1897, and to enact a substitute in lieu thereof relative to the filing of a lis pendens.

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

By Senator Neal, Senate File No. 194, a bill for an act making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission.

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

By Senator Neal, Senate File No. 195, a bill for an act making an appropriation to enable the state railroad commission to in-

vestigate and prepare cases affecting Iowa intrastate rates and services.

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

By Senator McManus, Senate File No. 196, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-seven-a eighty-five (2727-a85) of the supplement to the code of 1907 and to enact a substitute therefor relating to the support of the state sanatorium for the treatment of tuberculosis.

Read first and second time and referred to committee on Board of Control and its Institutions.

By Senator Nye, by request, Senate File No. 197, a bill for an act to amend title five (5) chapter six (6) with reference to the levy and collection of special taxes for sidewalks and other street improvements.

Read first and second time and referred to committee on Cities and Towns.

By Senator Wilson of Appanoose, Senate File No. 198, a bill for an act to repeal section one thousand seventy-two (1072) of the supplement of the code, 1907, relating to the election of county officers and enacting in lieu thereof the following.

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

By Senator Malmberg, Senate File No. 199, a bill for an act relating to claims against estates, and providing for a limitation as to the time in which proof of same may be had (additional to chapter 3, title 17 of the code).

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

By Senator Neal, Senate Joint Resolution No. 7.

Joint Resolution Proposing to Amend Section One (1) of Article Ten (10) of the Constitution of Iowa, Relating to the Manner of Amending Said Constitution.

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

That the following amendment to the constitution of the state of Iowa be and the same is hereby proposed, and referred to the Thirty-fifth (35th) General Assembly:

Amend by striking from the constitution of Iowa section one (1) of article ten (10) thereof, and inserting in lieu thereof as said section one (1), the following:

"SECTION 1. Amendments to the constitution may be proposed in either house of the General Assembly, or by petition presented to the Governor, signed by qualified electors of the state equal in number to twenty per centum of the total number of votes cast for governor at the last general election; and when proposed in the General Assembly and agreed to by a majority of the members elected to each of the two houses, or when petitioned for as above specified the governor shall by proclamation submit the same to the people for ratification or rejection at the next general election unless the General Assembly shall by special enactment provide for submitting the same earlier at a special election. And if the people shall approve and ratify such amendment by a majority of the electors qualified to vote for members of the General Assembly, voting thereon, such amendment shall become a part of the constitution of this state."

Be it further resolved, That this proposed amendment be placed upon the journals of the two houses of this legislature, the ayes and nays taken thereon.

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

HOUSE MESSAGES CONSIDERED.

House File No. 6, a bill for an act to amend section twenty-eight hundred forty-nine (2849) of the supplement to the code 1907, relating to school loans.

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

House File No. 75, a bill for an act to amend section nine (9) of chapter sixty-four (64) acts of the Thirty-third (33) General Assembly of Iowa, relating to the government of certain cities.

Read first and second time and referred to committee on Cities and Towns.

Senate concurrent resolution relative to investigation of Iowa State Fair finances.

Passed on file.

House File No. 135, a bill for an act to amend the law as it appears in chapter sixty-four (64) acts of the Thirty-third General Assembly, relating to the government of certain cities.

Read first and second time and referred to committee on Cities and Towns.

House File No. 40, a bill for an act making it unlawful for any candidate for any office to promise support or influence in behalf of another for any position, place or office in consideration of any other person supporting him, and providing a penalty therefor.

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

House File No. 12, a bill for an act to amend the law as it appears in section two thousand six hundred thirty-four-f (2634-f) of the supplement to the code, 1907, relating to the acceptance of graduation from institutions of higher learning as evidence that a teacher possesses the scholarship and professional fitness for a state certificate.

Read first and second time and referred to committee on Educational Institutions.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 53, a bill for an act to repeal paragraph sixteen (16) of section five hundred eleven (511) of the Supplement to the Code, 1907, as amended by chapter thirty-six (36) of the acts of the Thirty-third General Assembly and to enact a substitute therefor, relating to the boarding and lodging of prisoners, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 47, a bill for an act to legalize the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and certain acts done and ordinances passed by the city council of said city, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 47, BY WILSON OF CLINTON.

A BILL FOR AN ACT to Legalize the Incorporation of the City of Camanche, Clinton County, Iowa, the Election of Its Officers and Certain Acts Done and Ordinances Passed by the City Council of Said City.

WHEREAS: An act was passed by the Sixth General Assembly of the State of Iowa, whereby a charter was granted to the city of Camanche, known as chapter two hundred eleven (211) of the acts of the Sixth General Assembly, by the terms of which said act should take effect from and after its publication in the Iowa Register, published at Camanche, Iowa; and,

WHEREAS: Records have been lost and destroyed and evidence cannot be produced to determine the fact of the publication of said act as recorded; and,

WHEREAS: The people within the boundary lines as fixed by said act proceeded to do and perform such acts as they believed they were entitled to do and perform under and by virtue of the act passed by the Sixth General Assembly by way of electing officers, passing ordinances, paying bills, certifying taxes to be levied, levying taxes, granting franchises, holding elections for the purpose of voting upon the issuing of bonds and other acts and things of like kind and character as is usually had and done in such cases; and,

WHEREAS: By reason of the fact that evidence cannot be produced of the publication of the act incorporating the city of Camanche as provided by said chapter and further fact that doubt has arisen as to whether or not said act was published as required by said act of the Sixth General Assembly; and doubt having arisen as to the legality of any acts had and done by the people exercising the rights which they believed they were entitled to exercise under and by virtue of said act of the Sixth General Assembly and doubts having arisen as to the legality of any and all ordinances passed by the city council and as to the election of its officers and bills paid and obligations incurred; and,

WHEREAS: The people of said city of Camanche believed that they were duly and legally incorporated and authorized to act as a city acting under special charter, and the city council elected by said people granted

certain rights-of-way along its streets and highways and franchises to telegraph and telephone companies and electric light companies, and the city council elected by the people of said city of Camanche, believing that they were legally and duly incorporated and acting in accordance with such belief passed certain ordinances for the purpose of issuing bonds and borrowing money for the purpose of erecting and constructing a municipal electric light plant in the sum of thirty-five hundred ($3500.00) dollars, and there being no newspaper published within the city of Camanche, said city council was therefore unable to publish said ordinances as required by section thirty-five of said act of the Sixth General Assembly; and doubts having arisen as to the legality of the ordinances passed by said city council, together with other acts had and done by said city council acting within their rights as they believed; now, therefore, *Be It Enacted by the General Assembly of the State of Iowa*:

SECTION 1. That the charter granted to the city of Camanche by the acts of the Sixth General Assembly known as chapter two hundred eleven (211) of the acts of the Sixth General Assembly, be and the same are hereby legalized, made valid and binding as fully as if evidence was available to show the fact of publication of the charter as required by said act, and as fully legal and binding as if published; and the acts of the people of said city of Camanche in the election of its officers, be and the same are hereby legalized, and the acts of the officers, being the mayor and council, in so far as the payment of bills and the granting of franchises to electric light companies, telegraph and telephone companies and rights-of-way upon the streets of said city of Camanche granted by said city council to railroad companies, electric light companies, telephone and telegraph companies, be and the same are hereby legalized; and the bills paid and moneys expended by said city council, acting as such, be and the same are hereby legalized and the acts of said city council in passing an ordinance and resolution of necessity to issue bonds to borrow money in the sum of thirty-five hundred ($3500.00) dollars for the purpose of constructing, erecting and building municipal electric light plant, be and the same are hereby legalized, made valid and binding as fully as if the ordinance had been published and complied with in every respect as by the charter provided and granted by the acts of the Sixth General Assembly; provided, however, that this act shall not affect any pending litigation.

SEC. 2. 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 the city of Des Moines, Iowa, without expense to the state.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 100, a bill for an act to legalize the election of the city of Des Moines, Iowa, held on the 26th day of March, 1906, in favor of providing flood protection, as well as to legalize all acts done and resolutions passed and contracts entered into by the city council of the city of Des Moines for the improvement of the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high water, beg leave to report they have had the same under consideration and recommend the same be amended by striking out the catch words from sections 1, 2 and 3 of said bill; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 124, a bill for an act to amend section three thousand, eight hundred two (3802) of the Code, relative to the lien of judgments, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 19, a bill for an act to prohibit and punish marriage, adultery or voluntary sexual intercourse between white persons and negroes; to define negroes and to prohibit and punish the issuance of marriage licenses to and the solemnization of marriages between the persons prohibited by this act; additional to chapter I of title XVI of the Code, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 81, a bill for an act to legalize releases and satisfactions of mortgages and deeds of trust, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 81, BY CHASE.

A BILL FOR AN ACT to Legalize Releases and Satisfactions of Mortgages and Trust Deeds.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That any release or satisfaction of any mortgage or trust deed or of any instrument in writing creating a lien upon real estate where such release or satisfaction has been recorded in the recorder's office of the county in this state, or upon the margin of the record where such original instrument was recorded and which release or satisfaction was made by any individual, association, co-partnership, assignee, corporation or by a resident or foreign executor, administrator, referee, receiver, trustee, guardian or commissioner and which release or satisfaction was executed, filed and recorded prior to January 1, 1902, be and the same is hereby legalized, declared valid, legal and binding and of full force and effect, any defects in the execution, acknowledgment, recording, filing or otherwise of such releases or satisfactions to the contrary notwithstanding.

SEC. 2. This act shall not affect the rights of parties in any action or suit now pending in any court in this state, or shall be applied to or affect any release or satisfaction that has heretofore been passed upon by any court of this state and determined unauthorized, insufficient or invalid.

SEC. 3. This act being deemed of immediate importance shall take effect and be in full 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.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Neal, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate File No. 80, a bill for an act to pension the survivors of the Spirit Lake Expedition of 1857, beg leave to report they have had the same under consideration and recommend the same do pass.

S. W. NEAL,
Chairman.

Report adopted.

Senator Neal moved that the bill be referred to committee on Appropriations.

Carried.

So the bill was referred to committee on Appropriations.

Senator Wilson of Clinton, from the committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your committee on Public Buildings, to whom was referred Senate File No. 68, a bill for an act creating a commission and to erect a state office building, procuring necessary grounds adjacent to the capitol for the same, and for an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

In section 2, line 3 of the printed bill, strike out the words and figures "fifteen thousand dollars ($15,000)" and insert the words and figures "fifty thousand dollars ($50,000)"; and when so amended the bill be re-referred to the Appropriation committee.

J. L. WILSON,
Chairman.

Report adopted.

So the bill was referred to committee on Appropriations.

Senator Mattes, chairman of the Coburn-Gillette contest committee, submitted the following report and moved its adoption:

Your committee, to whom the contest papers of George F. Coburn and Guy M. Gillette of the Forty-sixth Senatorial District were referred, beg leave to make the following report:

That there is filed at the request of Mr. George F. Coburn and returned with these papers a withdrawal notice in which he withdraws from the contest herein filed, and we recommend that his withdrawal be accepted by this senate.

And your committee would further recommend that in view of the amount of work done and time spent by Mr. Coburn's attorneys, and in view of the meritorious character of this contest, that the contestant, Mr. George F. Coburn, be allowed one hundred dollars ($100.00) for attorneys' fees in this contest.

Respectfully submitted this 8th day of February, A. D. 1913.

JOSEPH MATTES,
JOHN H. DARRAH,
G. E. HILSINGER,
AUG. A. BALLUFF,
JOHN L. WILSON.

BEFORE THE STATE SENATE OF IOWA, REGULAR SESSION, A. D. 1913.

In the Matter of the Contest of the Election of Guy M. Gillette to the Office of State Senator for the Forty-sixth Senatorial District of Iowa.

George F. Coburn,
Contestant,

vs.

Guy M. Gillette,
Incumbent.

Withdrawal of Contest.

To the Lieutenant Governor of the State of Iowa as the Presiding Officer of the State Senate of the State of Iowa, and to said State Senate of Iowa:

Comes now George F. Coburn, contestant in the above entitled matter, and withdraws his contest filed herein.

Dated this 8th day of February, A. D. 1913.

GEO. F. COBURN,
Contestant.

On the adoption of report of committee, the ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Farr, Fellows, Garrett, Hilsinger, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Allen, Cowles, DeWolf, Dunnegan, Francis, Gillette, Goodwin, Heald, Jewell, Jones, Savage, Webber—12.

So the report of the committee was adopted.

Senator Spaulding moved that 2,000 extra copies of Senate File No. 173 be printed.

Carried.

THIRD READING OF BILLS.

On motion of Senator Farr, substitute for Senate File No. 103, a bill for an act to amend the law as it appears in section one (1), chapter thirty-seven (37) of the laws of the Thirtyfourth General Assembly of Iowa, relating to smoke nuisances in certain cities, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Farr moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Farr moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Doran, Dunnegan, Farr, Fellows, Gillette, Hilsinger, Larrabee, Legel, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Cowles, Darrah, DeWolf, Francis, Garrett, Goodwin, Heald, Jewell, Jones, Malmberg, Savage, Webber—13.

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

On motion of Senator Wilson of Clinton, Senate File No. 47, a bill for an act to legalize the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and certain acts done and ordinances by the city council of said city, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

The substitute bill was read for information.

Senator Wilson moved that the substitute for the original bill be adopted.

Adopted.

Senator Wilson moved that the rule by which no bill be read the second and third time the same day be suspended.

Carried unanimously.

Senator Wilson moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Hilsinger, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Allen, Cowles, DeWolf, Francis, Gillette, Goodwin, Heald, Jewell, Jones, Savage, Sullivan, Webber—12.

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

Senator Clarkson was given unanimous consent to present the following petition:

Senator Clarkson presented a petition of Sioux City Trades Assembly, urging the passage of Senate File No. 3.

Referred to committee on Judiciary.

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

Journal of February 6th was taken up, corrected and approved.

Journal of February 7th was taken up, corrected and approved.

THIRD READING OF BILLS.

On motion of Senator Chase, substitute for Senate File No. 81, a bill for an act to legalize releases and satisfactions of mortgages and trust deeds, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Substitute bill was read for information.

Senator Chase moved that the substitute for the original bill be adopted.

Adopted.

Senator Chase moved that the rule by which no bill can be read a second and third time the same day be suspended.

Carried unanimously.

Senator Chase moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hilsinger, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, Cowles, DeWolf, Francis, Goodwin, Heald, Jewell, Jones, Larrabee, Savage, Webber—11.

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

The time having arrived, Senate took up for consideration rules and amendments as offered by the committee on Rules.

Senator Perkins moved that amendment to rule 29 be adopted.

Adopted.

Senator Perkins moved that rule 29-a be adopted.

Senator Farr offered the following amendment to rule 29-a:

I move that the proposed rule in line 3 be amended by inserting after the word "session" "and in no event later than 9 A. M."

Senator Neal moved that the amendment by Senator Farr be laid on the table.

Senator Sullivan made the point of order that the motion to lay on the table was not in order while a vote on the amendment was being taken.

The President declared the point of order not well taken.

Motion of Senator Neal to lay amendment offered by Senator Farr on the table prevailed.

Senator Balkema requested unanimous consent to insert the word "first" for the word "second" as it appears at top of page 263 in the Journal, amending Senate Rule 20.

Consent granted.

Senator Perkins moved that the following rules of the Senate of the Thirty-fourth General Assembly, as amended, be adopted by the Senate as the rules of the Senate of the Thirty-fifth General Assembly.

SENATE RULES.

REGULAR ORDER OF DAILY BUSINESS.

1. The following order shall govern:

1. Presentation of petitions and memorials, addressed to the Senate or the general assembly.

2. Introduction of bills.

3. Resolutions.

4. Communications on the president's table, including House messages.

5. Reports of standing committees, in order in which they stand in the rules, except the committee on Engrossed and Enrolled Bills, Rules and Printing.

6. Reports of select committees.

7. Unfinished business before the Senate.

8. Third reading of bills.

9. General order of the day.

PRESIDENT AND HIS DUTIES.

2. The president shall take the chair at the hour to which the Senate is adjourned and call the Senate to order; and if a quorum be present, he shall proceed with the regular order of daily business, unless otherwise ordered by the Senate or unless a special order for the day shall interfere therewith. He shall preserve order and decorum, and decide all questions of order, subject to an appeal to the Senate. He shall appoint all committees, unless otherwise especially ordered. Immediately preceding the adjournment of each morning session, or, in case it cannot be done during

that session, then as soon after the convening of the next following session as he may find most convenient, the president shall call for corrections of the journal of the last day's proceedings. He shall then cause any mistakes therein to be corrected by the secretary, and the journal shall then be approved.

PRESIDENT PRO TEM. ELECTION AND DUTIES.

3. The Senate shall, at its pleasure, elect a president pro tem, who shall hold his office during the remaining portion of the time for which the president was elected; and when the president shall from any cause be absent, the president pro tem, shall preside, except when the chair is filled by appointment by the president.

MESSENGERS.

4. There shall be appointed by the lieutenant governor, at each session of the Senate, to hold their positions during such session, but subject to be discharged by the president of the Senate for inefficiency or misbehavior, or other reasons in his judgment justifying such discharge, six messengers for the Senate. And the president may appoint other messengers in the place of any discharged.

CALL OF SENATE AND ATTENDANCE.

5. One-fourth of the members may have a call of the senate, and absent members sent for and their attendance enforced.

MANNER OF SECURING RECOGNITION. ....

6. When a member is about to speak, in debate, or deliver any matter to the Senate, he shall rise from his seat and respectfully address himself to "Mr. President," and shall confine himself to the question under debate, avoid personalities, and the imputation of improper motives.

VIVA VOCE VOTE. DIVISION.

7. When the vote is taken viva voce, questions shall be distinctly put in this form, viz.: "As many as are of the opinion (as the case may be) say 'aye'." And after the affirmative voice is expressed: "As many as are of the contrary opinion say 'no'." If the president doubt, or a division be called for, the Senate shall divide—those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative.

VOTING.

8. Every member present when a question is put shall vote, unless he shall, for special cause, be excused by a vote of the Senate; but no member shall vote on any question in the event of which he is directly and per-

sonally interested, or, except by consent of the Senate, in any case where he was not present when his name was called in the taking of the vote. Provided, that any member who was absent by leave of the Senate may vote at any time before the result is announced.

MOTIONS AND RESOLUTIONS. WHEN IN WRITING.

9. All motions (except to adjourn, postpone, or commit) shall be reduced to writing, if required by any member of the Senate. Any motion or resolution may be withdrawn by the mover, provided the same has not been amended by the Senate, and that no amendment is pending thereto.

DEBATE. WHAT MOTIONS IN ORDER. PRECEDENCE.

10. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely, which several motions shall have precedence in the order in which they are named; and no motion to postpone to a day certain, to commit or postpone indefinitely, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition. A motion to strike out the enacting clause of a bill shall have the precedence of a motion to amend; and, if carried, shall be considered equivalent to the rejection of the bill.

MOTIONS NOT DEBATABLE.

11. A motion to adjourn, to lay on the table, and for the previous question, shall be decided without debate, and all incidental questions of order arising after the motion is made for the previous question, and pending such motion, shall be decided—whether an appeal or otherwise—without debate.

PREVIOUS QUESTION.

12. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the Senate to a direct vote upon pending amendments and then upon the main question unless otherwise indicated by the motion and ordered by the Senate, except that the member in charge of the measure under consideration shall have ten minutes in which to close the discussion, immediately before the vote is taken upon the main question. If the previous question is decided in the negative, the Senate shall proceed with the matter before it, the same as though the previous question had not been moved.

DIVISION OF QUESTION.

13. Any member may call for a division of a question which shall be divided, if it comprehends propositions in substance so distinct that one being taken away substantive propositions shall remain for the decision of the Senate. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall preclude neither amendments to the matter attempted to be stricken out, nor a motion to strike out and insert.

WHO MAY MAKE MOTION TO RECONSIDER.

14. When a motion or question has been decided, any member having voted on the prevailing side may move a reconsideration, on the same or next legislative day.

PRINTING IN RECORD.

15. A motion to print any paper presented to the Senate may, on motion, be referred to the committee on Printing, whose duty it shall be to report at the earliest time practicable, on the propriety of printing.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS, READINGS. HOW WRITTEN.

16. Every bill shall be introduced on the report of a committee, or by leave, and shall at once be given its first reading. Every bill and joint resolution shall have received three several readings previous to its passage; but no bill or joint resolution shall have its second and third readings on the same day, without a suspension of this rule; and every bill and joint resolution shall express in its title the object thereof. All rules of the Senate applicable to bills shall apply with equal force to joint resolutions. Each bill and proposed joint resolution, when introduced, shall be type-written double-space, and accompanied by two copies thereof.

PETITIONS AND MEMORIALS, ENDORSEMENTS. PRESENTATION.

17. Before the same is presented, there shall be endorsed on each petition a brief statement of the subject matter thereof, and on each bill and joint resolution the title thereof, and in either case the name of the senator presenting the same. In presenting a petition, the senator shall briefly state from his place in the Senate chamber the subject matter to which the petition relates.

FIRST READING OF BILL OR A JOINT RESOLUTION. OBJECTION.

18. The first reading of a bill or joint resolution shall be for information, and, if objection be made to it, the question shall be: "Shall the bill (or joint resolution, as the case may be) be rejected?" If no objection be made, or the question to reject be lost, the bill or joint resolution shall go to its second reading without further questioning.

SECOND READING. COMMITMENT. CONSIDERATION ON.

19. Upon the second reading of a bill or joint resolution, the president shall refer the bill to an appropriate standing committee unless otherwise ordered by the Senate. If ordered by the Senate to be considered by the committee of the whole, the Senate shall fix the day for its consideration. If the bill or joint resolution be ordered to be engrossed, it shall be in order for its third reading any session after that day. No bill or joint resolution shall be committed or amended until it shall have been twice read.

APPROPRIATION BILLS. DUTIES OF COMMITTEE. TIME TO REPORT.

20. (a) All bills carrying appropriations or involving the expenditure of state funds shall be referred to the committee on Appropriations, which the committee shall report back to the Senate not later than the first Monday after March 15th. After the third legislative day prior to said Monday, House bills shall be reported back by said committee within three days from the reference thereof.

WHEN INTRODUCED.

(b) No bill shall be introduced in the Senate after March 30th except such bills as may be reported from standing committees as committee bills.

SCHEDULE OF APPROPRIATIONS. WHEN MADE BY COMMITTEE.

(c) On or before the first Monday after March 15th, the committee on Appropriations shall prepare an itemized schedule of all appropriations recommended by the committee on Appropriations, and have the same printed and laid upon the desks of members, and no appropriation bill shall be taken up for consideration and passage until the third legislative day thereafter.

EDUCATIONAL INSTITUTIONS AND INSTITUTIONS UNDER THE BOARD OF CONTROL.

(d) Bills carrying appropriations for the state educational institutions and the institutions under the charge of the board of control shall not be introduced later than February 15th, and no bill carrying an appropriation for any purpose shall be introduced after March 1st, except by the committee on Appropriations.

THIRD READING OF BILLS. ENGROSSING. VOTE ON.

21. When a question is lost on engrossing a bill, or joint resolution for a third reading on a particular day, it shall not preclude a question to engross it for a third reading on a different day. After a third reading of a bill or a joint resolution, no amendment (except to fill blanks) shall be received, except by unanimous consent of the members present; and the vote on its final passage shall be immediately taken without debate.

COMMITTMENT.

22. A bill or joint resolution may be committed at any time previous to its third reading.

AMENDING.

23. In filling blanks, the largest sum and longest time shall be first put.

HOUSE AMENDMENTS. CONCURRENCE IN.

24. On the return of a bill or joint resolution from the House, with an amendment, it shall be placed with the third reading of bills, unless the Senate shall otherwise order. On the question of adopting the amendment the vote shall be taken on the final passage of the bill, and if the amendment be adopted by a constitutional majority, no further vote is necessary.

PRINTING OF BILLS AND JOINT RESOLUTIONS.

25. All bills and joint resolutions introduced except local or legalizing bills, shall be printed, unless otherwise ordered by the Senate, and committees may order to be printed any bills under consideration by them, and any substitutes for bills or resolutions reported by them.

REPORTS OF COMMITTEES. WHEN IN ORDER.

26. It shall be in order for the committee on Engrossed and Enrolled Bills, on Rules and on Printing, to report at any time, when no member is addressing the Senate.

SPECIAL ORDER. WHEN CONSIDERED.

27. When any special order of the day is not proceeded with on the day assigned, it shall stand as a general order on each succeeding day until disposed of, unless otherwise ordered, but its consideration cannot be moved until that order of business is reached, when it shall be taken up in order of its file, and shall be taken up in the order of precedence.

UNFINISHED BUSINESS AFTER SPECIAL ORDER.

28. When the pending question is interrupted by a "Special Order," it shall, upon the disposal of the special order, be before the Senate in the same stage as if it had not been so interrupted.

COMMITTEE CLERKS. QUALIFICATIONS.

29. Committees are permitted to employ clerks by the majority vote of the whole committee. All applicants for the position of committee clerkship shall be examined by a committee of three appointed by the president

of the Senate. The clerk shall be selected by such vote, and in like manner may be discharged for inefficiency, or when the services of the clerk become unnecessary. All committee clerks shall be competent stenographers and of good moral character. Any clerk may be discharged for inefficiency, immorality or indecent or unbecoming conduct, whether in or out of the Senate chamber; and, upon the request of any senator or the president of the Senate, made to the chairman of a committee, a meeting of the committee shall be called for the purpose of considering the question of the discharge of such clerk upon any of the grounds above specified.

DUTIES OF COMMITTEE CLERKS.

30. Clerks of Senate committees, when not engaged in duties pertaining to such committees, or work assigned them by the committee chairman, shall be subject to the discretion of the secretary of the Senate for any labor connected with the duties of his position or his assistants. The secretary shall, from time to time, make detail from said clerks to assist in preparing copy or correcting proof for the daily journal.

REPORTS OF COMMITTEES.

31. All reports of committees on bills or resolutions shall be made in duplicate and be accompanied with the original bill or resolution to which the report relates. Provided, that this rule shall not apply to the reports of committees on Enrolled and Engrossed Bills.

VOTE IN COMMITTEE.

32. When a vote is taken in any committee upon any bill or resolution before it, or any motion relating to the merits thereof, the chairman shall see that no person is present except the members and clerk of said committee, unless otherwise ordered by the committee.

SMOKING.

33. Smoking in the Senate chamber is hereby prohibited, while the Senate is in session. And any officer or employe who shall indulge in smoking while on duty in the Senate chamber or doorways leading thereto shall thereby subject himself to liability of discharge.

SENATE CHAMBER ADMISSION TO. LOBBYING.

34. Admission to the floor of the Senate chamber shall be granted by the doorkeeper to the governor and his private secretary, members of the House of Representatives, the state officers and their deputies, judges of the several courts, ex-members of the legislature, ex-state officers, and the regular reporters of the Senate and clerks of committees. No persons, except those herein specified, shall be admitted, except upon special permission of the president of the Senate, or of a member of the Senate. And

no person shall be permitted, by members or otherwise, to come upon the floor of the Senate or into the cloak rooms to solicit or influence senators in their official action, or to sell any article or to solicit subscriptions. No officer, or employe elected or appointed by the Senate or any of its committees, shall solicit or endeavor to influence members of the legislature in their official action. Any person violating this rule shall be summarily dismissed by the Senate.

PRESERVING ORDER.

35. In case of disturbance or disorderly conduct in the lobby or gallery, the presiding officer shall have the power to order the same cleared.

EXECUTIVE SESSIONS. WHO PRESENT.

36. Before acting on executive business, the Senate chamber shall be cleared, by direction of the president, of all persons except members, the secretary, the sergeant-at-arms, members enjoined and the secretary and sergeant-at-arms sworn to observe secrecy.

COMMITTEE MEETINGS. ANNOUNCEMENT.

37. When an adjournment has been ordered by a vote of the Senate and before adjournment is declared by the president of the Senate, it shall be in order for the chairman of the several committees to announce in open Senate the time and place of meeting of their respective committees.

SUSPENDING RULES. VOTE ON.

38. No standing rule or order of the Senate shall be rescinded or suspended, nor shall any matter, tabled upon motion, be taken up, unless by a vote of two-thirds of the members present, except an order fixing the hour to which the Senate shall stand adjourned.

RESOLUTIONS. ACTION ON SAME. REFERENCE.

39. Resolutions, including concurrent resolutions, shall not be acted upon by the Senate upon the day the same are introduced or received by the Senate, but shall lie upon the table for one legislative day if any member object to the immediate consideration thereof. But if no member object, the same may have immediate consideration. Nothing in this rule shall abridge or prevent the usual right to reference to committee.

RULES OF ORDER.

40. The rules of parliamentary practice comprised in Cushing's Manual shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules or orders of the Senate, and joint rules of the Senate and House of Representatives.

ADJOURNMENT.

41. The hours to which the Senate shall stand adjourned from day to day shall be 9 o'clock a. m. and 2 o'clock p. m., unless otherwise ordered by the Senate.

DUTIES OF OFFICERS AND EMPLOYES.

42. The duties of the officers and employes of the Senate are as stated in the paragraph relating thereto, and appended to these rules.

DUTIES OF SECRETARY.

The secretary of the Senate shall have charge of the secretary's desk, and shall see that no one is permitted therein except himself and those assisting him. He shall be responsible for the custody and safe-keeping of all bills, resolutions and other matters laid before or introduced into the Senate, except while the same are in the possession of the committee to whom the same shall have been referred, and when delivering the same to said committee he shall take a proper receipt therefor. He shall see that the journal of each day's proceedings is correctly and fully kept, and fully made up before the next day's session, and be responsible for its safe-keeping. He shall have control of Room 25, which is assigned to said secretary for the use of himself and his assistants. He shall endorse on every bill or joint or concurrent resolution the date of its introduction, and by what senator, or of its receipt from the House, and also what action relating thereto is taken by the Senate. The assistant secretaries shall be under his direction and he shall assign to them their several duties in connection with the duties of the secretary's desk.

DUTIES OF SERGEANT-AT-ARMS. FILE CLERK. BILL CLERK.

The sergeant-at-arms shall wear the appropriate badge of his office; shall attend the Senate during its sessions; shall aid in the enforcement of order under the direction of the president of the Senate; shall execute the commands of the Senate from time to time, together with such process, issued by the authority thereof, as shall be directed to him by the presiding officers; shall see that the rule prohibiting smoking in the Senate chamber is strictly enforced; shall, upon the request of any five members, have the Senate chamber lighted up during any evening within the session, except Sunday, to an hour not later than 10 p. m.; shall see that no person, except one authorized to do so, disturbs or interferes with desks of the members, or with the books, papers, etc., thereof; shall see that the printed bills and daily journals are, at the earliest practicable period, properly distributed and filed upon the desks of senators; shall have charge of the files in the Senate bill room, and shall see that no copy of a bill is given out except to or upon the order of the president, a senator, or state officers; shall see that an additional doorkeeper is detailed for duty at the Senate chamber upon each day within the session, except Sunday,

from 8:30 a. m. to 10 p. m., but should not five members of the Senate desire to occupy the chamber to that hour, the detail may be relieved at 9 p. m.; shall have charge of the messengers of the Senate and see that they severally perform their duties, and shall promptly report to the president of the Senate any inefficiency or violations of duty on the part of said messengers. He shall direct the file clerk, and bill clerk, if any employed, in the discharge of their duties.

DUTIES OF DOORKEEPER.

The doorkeeper of the Senate shall wear his appropriate badge of office; shall have special charge of the main door of the chamber during the sittings of the Senate, and shall see that the other doors of the Senate are properly attended to; shall have general charge and oversight of the additional doorkeepers of the Senate; shall detail such of the additional doorkeepers for such general or special duties as the sergeant-at-arms may deem proper and necessary for the efficiency of the Senate and the protection of property within the chamber; shall see that the rule relating to the admission to the floor of the chamber is strictly enforced; shall, ten minutes before the opening of each session of the Senate, see that the floor is cleared of all persons not entitled to occupy the same during the session; shall attend to seating visitors, and shall announce all committees and messengers from the governor or House.

JANITOR'S DUTIES.

The janitor of the Senate shall have charge, under the direction of the sergeant-at-arms, of the cloak and retiring rooms adjoining the chamber, and shall see that the same are kept in proper order.

MESSENGERS AND THEIR DUTIES.

The messengers of the Senate shall attend the Senate during its sittings and perform the duties generally devolving on like employes. While the Senate is sitting, two of their number shall be detailed for service in front of the secretary's desk. The messengers shall be under the direction of the sergeant-at-arms, while the Senate is not sitting, and shall attend to such duties as he may assign them.

At least four messengers shall be on duty in the Senate chamber upon every day of the session, except Sundays, from 8:30 a. m. until 6 p. m., whether the Senate is in session or not.

Senator Sullivan moved as a substitute for all pending motions that the rules of the Senate of the Thirty-fourth General Assembly be adopted by the Senate as the rules of the Thirty-fifth General Assembly.

On the motion, a roll call was demanded. Those favoring the motion were:

Boe, Chase, Crow, Dunnegan, Gillette, Malmberg, McColl, McManus, Quigley, Ream, Sheean, Smith, Sullivan, White, Wilson of Appanoose—15.

The nays were:

Ames, Arney, Balkema, Balluff, Clarkson, Darrah, Doran, Farr, Fellows, Garrett, Hilsinger, Jones, Larrabee, Legel, Mattes, Neal, Nye, Perkins, Robinson, Schrup, Taylor, Wilson of Clinton—22.

Absent or not voting:

Allen, Cowles, Crist, DeWolf, Francis, Goodwin, Heald, Jewell, Savage, Spaulding, Thomas, Webber—12.

So the motion was lost.

On the motion of Senator Perkins, the ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, Cowles, DeWolf, Francis, Goodwin, Heald, Jewell, Savage, Spaulding, Thomas, Webber—11.

So the motion prevailed.

Senator Perkins moved that the rules as adopted be printed in book form.

Carried.

THIRD READING OF BILLS.

On motion of Senator Jones, Senate File No. 139, a bill for an act to amend the law as it appears in section fifty-seven hundred seven (5707) of the supplement to the code of 1907, relating to the breaking of stone, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jones offered the following amendment and moved its adoption:

I move to strike out the word "of" as the same appears in the title and in line 2, section 1, preceding the figures "1907".

Adopted.

The bill was read for information.

Senator Jones moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Cowles, Crist, DeWolf, Francis, Goodwin, Heald, Hilsinger, Jewell, Perkins, Savage, Spaulding, Webber—13.

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

On motion of Senator Sullivan, Senate File No. 100, a bill for an act to legalize the election of the city of Des Moines, Iowa, held on the 26th day of March, 1906, in favor of providing flood protection, as well as to legalize all acts done and resolutions passed and contracts entered into by the city council of the city of Des Moines for the improvement of the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high water, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan offered the following amendment and moved its adoption:

Amend by striking out the catch words from sections 1, 2 and 3 of said bill.

Adopted.

The bill as amended was read for information.

Senator Sullivan moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Boe, Cowles, DeWolf, Francis, Goodwin, Heald, Jewell, Savage, Spaulding, Webber—12.

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

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

Senator Thomas moved that the Senate do now adjourn until 10 o'clock A. M., Monday.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 10, 1913.

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

Prayer was offered by Rev. Orien W. Fifer, pastor Grace Methodist Church, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Clarkson presented a petition of citizens of Norwoodville, Iowa, requesting the members of the Thirty-fifth General Assembly to enact into law what is known as the Clarkson bill, Senate File No. 3.

Referred to committee on Judiciary.

Senator Robinson presented a petition of the Cerro Gordo Gun Club of Mason City, Iowa, requesting that certain changes should be made in the now existing fish and game laws, tending toward the conservation of the fish and game of the state.

Referred to committee on Fish and Game.

Senator Robinson presented a petition of the Commercial Clubs of Hampton, Eldora and Iowa Falls, to secure the enactment of such legislation as will change the present system to some permanent highway commission system and the establishment and improvement of permanent highways in the state as fast as same can be done.

Referred to committee on Roads and Highways.

Senator Darrah presented a petition of citizens of Lucas county favoring the passage of a law for the eradication of hog cholera and other infectious and contagious diseases of live stock.

Referred to committee on Agriculture.

Senator Wilson of Clinton presented a petition of teachers in the public schools of Clinton, Clinton county, asking the passage of House File No. 161, the state annuity fund bill for teachers.

Referred to committee on Schools.

Senator Perkins presented a petition of citizens of Lee county urging the passage of a law amending section No. 2, chapter 100 of the laws of the Thirty-fourth General Assembly.

Referred to committee on Agriculture.

Senator Malmberg presented a petition of citizens of voters of Sherman township entering objections to the bill known as House File No. 130.

Referred to committee on Schools.

Senator Crow presented a petition of citizens of Turin, Iowa, opposing the passage of the bill doing away with the office of school treasurer and putting the duties of that office in the hands of the county treasurer.

Referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Neal, Senate File No. 200, for an act to enable the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg, and to appropriate money therefor and provide for the disbursement thereof.

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

By Senator Spaulding, Senate File No. 201, a bill for an act to provide for the establishment of a state farm for the detention, treatment and employment of defectives and persons convicted of crime; to make provision for the control and management thereof; to provide that persons shall be kept thereon, and to make an apropriation therefor.

Read first and second time and referred to committee on Board of Control and its Institutions.

By Senator Thomas, Senate File No. 202, a bill for an act making it unlawful for a candidate for an office to promise support or influence in behalf of another for any position, place or office in consideration of such other supporting him, and also making it unlawful to solicit such support, and providing penalties therefor.

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

By Senator Wilson of Appanoose, Senate File No. 203, a bill for an act prescribing the liability of an employer to make compensation for injuries received by an employe in the course of employment, establishing an elective schedule of compensation, and regulating procedure for the determination of liability and compensation thereunder.

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

By Senator Jones, Senate File No. 204, a bill for an act to repeal the law as it appears in sections twenty-seven hundred forty-three (2743), twenty-seven hundred forty-five (2745), twenty-seven hundred fiftyone (2751), twenty-seven hundred fifty-three (2753), twenty-seven hundred ninety (2790), twenty-seven hundred ninety-seven (2797), and twenty-seven hundred ninety-eight (2798) of the code, and sections twenty-seven hundred forty-four (2744), twenty-seven hundred fifty-two (2752), twenty-eight hundred (2800) and twenty-eight hundred one (2801) of the supplement to the code, 1907, and to enact substitutes therefor; and to amend the law as it appears in sections twenty-seven hundred fifty-four (2754), twenty-seven hundred ninety-four (2794), supplement to the code, 1907, and twenty-seven hundred ninety-four-a (2794-a), supplement to the code, 1907, as amended by the acts of the Thirty-fourth General Assembly, relative to the units of school organization.

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

Senator Thomas submitted the following communication, which was read:

To the Senate, Thirty-fifth General Assembly of Iowa:

I hereby resign as one of the assistant doorkeepers of the Senate, effective this date. Respectfully,

J. D. CLEWELL.

Senator Thomas moved that the Senate accept the resignation of J. D. Clewell, and moved the election of John Wall of Ringgold county, to fill the vacancy.

Carried.

John Wall was declared duly elected assistant doorkeeper.

John Wall appeared before the bar of the Senate, subscribed his name to the oath of office and was duly sworn.

On request of Senator Cowles, leave of absence was granted Senator Webber on account of the death of his father.

On request of Senator Spaulding, leave of absence was granted Senator Allen for the day.

On request of Senator Thomas, leave of absence was granted Senator Crist for the day.

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 insists on its amendments in which the concurrence of the Senate was asked:

Senate Concurrent Resolution relative to amount of attorneys' fees and expenses of attorneys in contest cases, and asks for a conference committee. Speaker appoints as such committee on the part of the House, Larrabee of Fayette, Jones of Dickinson, Halgrims of Humboldt and Hazen of Pottawattamie.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 2584 of the Code and to repeal sections 2589-a and 2585, Supplement to the Code, relating to practice of pharmacy and to sale of drugs, medicines, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate Concurrent Resolution relative to an immediate investigation and prompt report of finances of Iowa State Fair.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendment to Concurrent Resolution relative to a joint convention at 1 P. M. February 13, for the purpose of a joint hearing on question of future policy of higher education in Iowa.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Wilson of Appanoose, Senate File No. 124, a bill for an act to amend section three thousand eight hundred two (3802) of the code relative to the lien of judgments, 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 moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Smith, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Arney, Balkema, Crist, Francis, Goodwin, Jewell, Jones, McManus, Schrup, Spaulding, Taylor, Webber—13.

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

HOUSE MESSAGES CONSIDERED.

House File No. 157, a bill for an act to amend section twenty-five hundred and eighty-four (2584) of the code; to repeal section twenty-five hundred and eighty-nine-a (2589-a) supplement to the code, 1907, as amended by section two (2) of chapter one hundred and twenty-three (123) laws of the Thirty-fourth General Assembly, and to enact a substitute therefor; to repeal section twenty-five hundred and eighty-five (2585) of the supplement to the code 1907, as amended by chapter one hundred twenty-three (123) of the acts of the Thirty-fourth General Assembly and enact a substitute therefor, relating to practice of pharmacy and to sale of drugs, medicines, poisons and chemicals.

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

House concurrent resolution relative to an immediate investigation and prompt report of finances of Iowa State Fair.

Passed on file.

House concurrent resolution relative to joint convention at 1 P. M., February 13, for the purpose of a joint hearing or question of future policy of higher education in Iowa.

Passed on file.

Senate concurrent resolution relative to amount of attorneys' fees and expenses of attorneys in contest cases, and asks for a conference committee. Speaker appoints as such committee on the part of the House, Larrabee of Fayette, Jones of Dickinson, Halgrims of Humboldt and Hazen of Pottawattamie.

President Harding apointed as such committee on the part of the Senate, Senators Chase, Larrabee, Balluff and Schrup.

Passed on file.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Savage, Senate File No. 205, a bill for an act requiring the teaching of elementary agriculture, domestic science and manual training in the public schools after a specified time.

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

REPORTS OF COMMITTEE.

Senator Sullivan, 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. 36, a bill for an act to amend section eight hundred fifty-a (850-a) of the Supplement to the Code, 1907, relating to the election of park commissioners, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Substitute the word "appoint" for the word "elect" in the fifth (5th) line of section 1 and amending the title by striking out the period following the word "commissioners" and inserting a comma and adding the words "and providing for the appointment of park commissioners until the next regular municipal election"; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 42, a bill for an act to amend the law as it appears in section 850-c of the Supplement to the Code, 1907, as amended by chapters 56 and 57 of the acts of the Thirty-third General Assembly, and chapter 44 of the acts of the Thirty-fourth General Assembly, relating to the tax levy for park purposes, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 48, a bill for an act to amend section six hundred fifteen (615) of the Supplement to the Code, 1907, relative to the extension of the limits of cities and towns, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 44, a bill for an act to amend section six hundred sixteen (616) of the Code, relative to taxation of unplatted lands within the limits of cities and towns, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 96, a bill for an act to amend section 792-b of the Supplement to the Code, 1907, in relation to the payment of deficiencies in assessments for street improvements and sewers, beg leave to report they have had the same under consiedration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Doran, House File No. 36, a bill for an act to amend section eight hundred fifty-a (850-a) of the supplement to the code, 1907, relating to the election of park commissioners, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Doran moved the adoption of the following amendments:

Substitute the word "appoint" for the word "elect" in the fifth (5th) line of section one (1) and amending the title by striking out the period following the word "commissioners" and inserting a comma and adding the words "and providing for the appointment of park commissioners until the next regular municipal election".

Adopted.

Senator Doran moved that the rules be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Balluff, Boe, Chase, Clarkson, Cowles, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Allen, Arney, Balkema, Crist, Crow, DeWolf, Francis, Goodwin, Jewell, McManus, Taylor, Webber—12.

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

On motion of Senator Wilson of Clinton, House File No. 48, a bill for an act to amend section six hundred fifteen (615) of the supplement to the code, 1907, relative to the extension of the limits of cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson 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 ayes were:

Ames, Balluff, Boe, Chase, Clarkson, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Allen, Arney, Balkema, Cowles, Crist, Francis, Goodwin, Heald, Jewell, Webber—10.

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

Senator Chase moved that as former Senator Brown of Leon was present, that a committee be appointed to escort him to the president's desk.

The president appointed as such committee, Senators Chase and Crow.

The committee appointed escorted Capt. J. D. Brown, former senator of the Fifth senatorial district, to the president's chair, and he addressed the Senate.

At the close of Captain Brown's remarks, Senator Chase offered the following motion:

I move a vote of thanks be given to Captain Brown for his excellent address and that the Journal show such vote.

Carried.

Journal of February 8th was taken up, corrected and approved.

Senator Larrabee moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 11, 1913.

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

Prayer was offered by Rev. A. L. Golden, pastor of M. E. Church, Boone, Iowa.

PETITIONS AND MEMORIALS.

Senator Nye presented a petition of citizens of Taylor county objecting to passage of House File No. 130, referring to abolishment of the office of school treasurer.

Referred to committee on Schools.

Senator Crow presented a petition of citizens of Mondamin, Iowa, objecting to passage of House File No. 130, referring to the abolishment of the office of school treasurer.

Referred to committee on Schools.

Senator Balkema persented a petition of citizens of Hawarden, Iowa, objecting to passage of House File No. 130, referring to the abolishment of the office of school treasurer.

Referred to committee on Schools.

Senator Darrah presented a petition of voters and tax payers of Richman township, Wayne county, protesting against the passage of House File No. 130.

Referred to committee on Schools.

Senator Chase presented a petition of members of the Commercial Clubs of Iowa Falls, Hampton and Eldora, asking the enactment of such legislation as will change the present system to some permanent highway commission system, and the establishment and improvement of permanent highways in the state.

Referred to committee on Roads and Highways.

Senator Sullivan presented a petition of negro citizens of Polk county, asking for an appropriation to assist in the promotion of an exposition to be held in Des Moines for the display of evidences of the progress of Iowa's negro citizens during the semi-centennial period last past.

Referred to committee on Appropriations.

Senator Ames presented a petition of citizens of Vinton, Iowa, asking the enactment of such legislation as will permit all cities of the second clas having a population of 2,000 or more, to come under the commission form of government.

Referred to committee on Cities and Towns.

Senator Gillette presented a petition of members of the Holstein Commercial Club, opposing the passage of the daylight closing bill, or any bill providing for the division of the saloon license revenue with the dry territory.

Referred to committee on Suppression of Intemperance.

Senator Ames presented a petition of citizens of Benton county, Iowa, asking the amendment of section No. 2, chapter No. 100 of the laws of the Thirty-fourth General Assembly.

Referred to committee on Agriculture.

Senator Clarkson presented a petition of citizens of Hocking, Seevers, Ottumwa, Carney and Sioux City, Iowa, asking for the enactment of the Workmen's Compensation bill, known as Senate File No. 3.

Referred to committee on Judiciary.

The president called Senator Sullivan to the chair at 10:10.

INTRODUCTION OF BILLS.

By Senator Wilson of Appanoose, Senate File No. 206, a bill for an act to amend section one (1), chapter one hundred four (104), acts of the Thirty-third (33) General Assembly, describing the form of index of articles of incorporation, and making it the duty of the recorder to so index said articles.

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

By Senator Wilson of Appanoose, Senate File No. 207, a bill for an act to strike all of section 5484 following the word "state" in the third line thereof, making it competent to call attention to the failure of defendant to testify in his own behalf.

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

President Harding resumed the chair at 10:15 o'clock.

By Senator Legel, Senate File No. 208, a bill for an act to amend section 5 of chapter 154 of the session laws of the Thirty-third General Assembly, relative to fees received for hunting license.

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

By Senator Legel, Senate File No. 209, a bill for an act to amend the law as it appears in section 4586 of the code, 1897, relative to making transcript from the docket of a justice of the peace.

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

By Senator Boe, Senate File No. 210, a bill for an act to amend the law as it appears in sections ten hundred fifty-six-a-twenty-five and ten hundred fifty-six-a-twenty-six (1056-a-25) and (1056-a-26) of the supplement to the code, 1907, as amended, and to provide for the appointment and powers of library trustees in certain cities.

Read first and second time and referred to committee on Cities and Towns.

By Senator Boe, Senate File No. 211, a bill for an act to prohibit dances in the public high and grade schools or under the auspices of such schools or any organization or society thereof.

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

By Senator McColl, by request, Senate File No. 212, a bill for an act to provide for the erection of a women's and children's building on the Iowa State Fair and Exposition grounds, and to make an appropriation therefor.

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

By Senator Taylor, Senate File No. 213, a bill for an act to amend section four thousand nine hundred and ninety-nine-a-thirty-five (4999-a-35) supplement to the code, 1907, as amended by chapter one hundred and seventy-six (176) acts of the Thirty-fourth General Assembly, relating to the pure drug act.

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

By Senator Mattes, by request, Senate File No. 214, a bill for an act authorizing the executive council of Iowa to incur expenses and make expenditures to procure data, make investigations and provide things not otherwise provided to enable said executive council to perform the duties imposed by law, and making appropriation therefor.

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

By Senator Nye, by request, Senate File No. 215, a bill for an act to amend section four thousand six hundred and four of the code of 1897, with respect to the competency of witnesses.

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

By Senator Thomas, Senate File No. 216, a bill for an act to prohibit the use of a common drinking cup in public and private schools, state educational institutions, halls used for the purpose of meetings or entertainments, hotels, lodging houses, theaters, factories, or public or municipal buildings, in railroad trains and stations, and in other public places in the state of Iowa, and providing penalties for the violation of the same.

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

By Senator Malmberg, Senate File No. 217, a bill for an act to repeal section 816 of the code and to enact a substitute therefor, and to amend section 826 of the code relating to the lien of assessments for street improvements and sewers.

Read first and second time and referred to committee on Cities and Towns.

By Senator Larrabee, Senate File No. 218, a bill for an act empowering boards of supervisors to appropriate money for educational purposes in relation to preventable diseases.

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

By Senator Sullivan, Senate File No. 219, a bill for an act to provide for the transfer to the city or town treasurer of unclaimed funds in the treasury of the county where such unclaimed funds are the proceeds of an invalid tax levied to pay for the construction of an electric light plant for such city or town, and making the same a part of the general fund of such city or town.

Read first and second time and referred to committee on Cities and Towns.

By Senator Jones, Senate File No. 220, a bill for an act making it a misdemeanor for making untrue, deceptive or misleading statements in advertisements.

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. 1, a bill for an act to amend the law as it appears in sections 1087-a-10, 1087-a-22, 1087-a-27, of the Supplement to the Code, 1907, etc., relative to the election of senators in the Congress of the United States.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 4, a bill for an act relative to the regulation and supervision of investment companies.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Jones, Senate File No. 221.

A BILL FOR AN ACT Legalizing the Ordinances, Resolutions and Acts of the Council of the Incorporated Town of Pacific Junction in Mills County, Iowa, So Far As Affected by the Election of Six Members of Said Council Instead of Five.

WHEREAS: The town of Pacific Junction, Mills county, Iowa, has at each town election for many years elected six councilmen for said town, pursuant to the provisions of section six hundred and forty-five (645) of the Code of 1897, and said councilmen have qualified and acted as such, and have passed and adopted ordinances and resolutions, and performed such other acts as properly devolve upon such council by law; and,

WHEREAS: It has been since discovered that said section six hundred and forty-five (645) of the Code was amended by chapter 26 of the acts of the Thirty-second General Assembly, reducing the number of councilmen in towns to five councilmen at large, and doubts have arisen as to the legality of said acts, resolutions and ordinances of said town council because of the larger number of its councilmen than was required by said statute as amended; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the ordinances, resolutions and acts of the town of Pacific Junction, Mills county, Iowa, not inconsistent with the laws of the state, and the proceedings of the council of said town in reference thereto, be and the same are hereby rectified, confirmed and legalized in every respect and declared to be valid and binding to the same extent as though section six hundred and forty-five (645) of the Code of Iowa, so far as the same relates to the number of councilmen, had not been amended by a subsequent act of the general assembly of the state of Iowa.

SEC. 2. That, at the election to be held the last Monday in March, 1914, there shall be elected five councilmen and the councilmen so elected shall compose the town council and be the successors to the six councilmen now in office.

SEC. 3. This act shall in no wise 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 Register and Leader, a newspaper published at Des Moines, Iowa, and the Glenwood Opinion, a newspaper published at Glenwood, Iowa, which publication shall be without expense to the state.

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

HOUSE MESSAGES CONSIDERED.

House File No. 1, a bill for an act to amend the law as it appears in sections ten hundred eighty-seven-a ten (1087-a10), ten hundred eighty-seven-a twenty-two (1087-a22), and ten hundred eighty-seven-a twenty-seven (1087-a27), of the supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third (33d) General Assembly, section eleven hundred six (1106) of the supplement to the code, 1907, and sections eleven hundred fifty (1150), eleven hundred fifty-one (1151), eleven hundred fifty-seven (1157), and eleven hundred sixty-two (1162), of the code, and repealing chapter one (1) of the acts of the special session of the Thirty-second (32d) General Assembly, and enacting a substitute therefor, all relating to the nomination of candidates for the office of senator in the congress of the United States and of the canvass of the vote for senator in the congress of the United States, and providing for nominations for such office in case of vacancy.

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

House File No. 4, a bill for an act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

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

REPORT OF COMMITTEE.

Senator Clarkson, 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. 6, a bill for an act to amend section one, chapter 106, acts of the Thirty-fourth General Assembly, relating to the appointment of mine inspectors, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT to Repeal Section One, Chapter 106, Acts of the Thirty-fourth General Assembly, and Enact a Substitute Therefor.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section one, of chapter 106, acts of the Thirty-fourth General Assembly be and the same is hereby repealed and the following enacted as a substitute therefor: "The governor shall appoint three (3) mine inspectors from those receiving certificates of competency from the Board of Examiners as by law provided, who shall hold their office for a term of six (6) years and until their successor shall be appointed and qualified, subject to removal by him for cause, their term to commence on the fourth day of July, 1913, and at six (6) year periods thereafter, the present incumbents shall continue in office until their successors are appointed and qualified. Any vacancies occurring shall be filled in the same manner as original appointments and the appointee to hold for the unexpired term only. Each inspector shall in no way be financially interested in or connected with any mining property, or directly or indirectly act as the agent, officer or representative of any person, firm or corporation, and shall devote his entire time and attention to the duties incumbent upon him as inspector of mines in the state of Iowa, and shall before entering upon the discharge of his duties give a bond in the sum of two thousand ($2,000.00) dollars and take an oath to be endorsed upon his bond, with sureties to be approved by the secretary of state, conditioned in accordance with the tenor of the oath. The bond shall be conditioned to faithfully and impartially without fear or favor perform the duties incumbent upon him, which shall be filed with the oath and commission and recorded in the office of the secretary of state."; and when so amended the bill do pass.

JOHN T. CLARKSON,
Chairman.

Substitute read first and second time.

Ordered passed on file.

PETITIONS AND MEMORIALS.

Senator Doran presented a petition of citizens of Boone county urging the passage of bill known as the "Daylight" Saloon Law.

Referred to committee on Suppression of Intemperance.

On request of Senator Ames, leave of absence was granted Senator Robinson for the day.

THIRD READING OF BILLS.

On motion of Senator Heald, House File No. 53, a bill for an act to repeal paragraph sixteen (16) of section five hundred eleven (511) of the supplement to the code, 1907, as amended by chapter thirty-six (36) of the acts of the Thirty-third General Assembly and to enact a substitute therefor, relating to the boarding and lodging of prisoners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Heald moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Garrett, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose—38.

The nays were:

Gillette—1.

Absent or not voting:

Balluff, Dunnegan, Francis, Goodwin, Jewell, McManus, Robinson, Savage, Webber, Wilson of Clinton—10.

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

Senator Chase moved that Senate File No. 25 be re-referred to the Judiciary committee.

Carried.

So Senate File No. 25 was re-referred to the Judiciary committee.

THIRD READING OF BILLS.

On motion of Senator Crow, Senate File No. 19, a bill for an act to prohibit and punish marriage, adultery, or voluntary sexual intercourse between white persons and negroes; to define negroes and to prohibit and punish the issuance of marriage licenses to and the solemnization of marriages between the persons prohibited by this act; additional to chapter 1 of title XVI of the code, with report of committee recommending indefinite postponement, was taken up and considered.

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

On the motion to adopt the report of the committee, a roll call was demanded.

Senator Allen was called to the chair at 11:20.

President Harding resumed the chair at 11:22.

Those favoring the adoption of the report of the committee were:

Allen, Ames, Balkema, Balluff, Chase, Cowles, Crist, DeWolf, Fellows, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, McColl, Neal, Perkins, Ream, Sullivan, Taylor, Wilson of Appanoose—23.

The nays were:

Arney, Boe, Clarkson, Crow, Darrah, Doran, Garrett, Mattes, McManus, Nye, Schrup, Sheean, Smith, Spaulding, Thomas, White, Wilson of Clinton—17.

Absent or not voting:

Dunnegan, Farr, Francis, Goodwin, Jewell, Quigley, Robinson, Savage, Webber—9.

So the bill was indefinitely postponed.

Senator Thomas filed the following explanation of his vote favorable to the consideration of Senate File No. 19:

First: I am not in the slightest degree hostile to the colored race, and do not so regard this bill. It is aimed equally at both races. The inter-

marriages which this bill seeks to prohibit are invariably among the lower types of the two races, which is in itself the best possible reason for its passage.

Second: These marriages always arouse race prejudice to the great injury and injustice of the great masses of the colored people who do not themselves believe in them. If the bill is any reflection upon either race, it is not more so upon one than the other. I yield to no man in earnest good will to the colored race, and all its highest and holiest aspirations as a people, and I am willing to aid them by every just and proper means within my power.

But it is my conviction that this bill, if enacted into law, would serve the highest good and all the best interests of both races and of civilization.

C. H. THOMAS.

Senator Sullivan moved that the vote by which the report of committee was adopted be reconsidered, and that the motion to reconsider be laid on the table.

Senator Clarkson moved that consideration of the motion be deferred until next Monday.

The president declared the motion of Senator Clarkson out of order.

Those favoring the motion of Senator Sullivan were:

Allen, Ames, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, DeWolf, Fellows, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, McColl, Neal, Perkins, Ream, Sullivan, Taylor, Wilson of Appanoose—24.

The nays were:

Boe, Crow, Darrah, Doran, Garrett, Mattes, McManus, Nye, Schrup, Sheean, Smith, Spaulding, Thomas, White, Wilson of Clinton—15.

Absent or not voting:

Arney, Dunnegan, Farr, Francis, Goodwin, Jewel Quigley, Robinson, Savage, Webber—10.

So the motion prevailed.

On motion of Senator Nye, Senate File No. 96, a bill for an act to amend section 792-b of the supplement to the code, 1907, in relation to the payment of deficiencies in assessments for street improvements and sewers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved that the bill be referred to committee on Cities and Towns.

Carried.

So the bill was referred to committee on Cities and Towns.

Senator Clarkson filed the following motion:

I move to reconsider the vote upon the motion to reconsider and to lay that motion upon the table by which the motion was passed to adopt the report of the Judiciary committee upon Senate File No. 19.

On motion of Senator Chase, House File No. 44, a bill for an act to amend section six hundred sixteen (616) of the code relative to taxation of unplatted lands within the limits of cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Chase offered the following amendment and moved its adoption:

I move to amend the bill by striking out the word "of" preceding the figures "1907" in the fifth line thereof, and by inserting comma (,) following the word "code" and following the figures "1907" in the same line.

Adopted.

The bill as amended was read for information.

Senator Chase moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Farr, Fellows, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Quigley, Ream, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose—37.

The nays were:

Doran, Perkins, Wilson of Clinton—3.

Absent or not voting:

Dunnegan, Francis, Garrett, Goodwin, Jewell, McManus, Robinson, Savage, Webber—9.

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

Senator Farr moved that the vote by which House File No. 44 passed the Senate be reconsidered.

Senator Chase moved that the motion of Senator Farr be laid on the table.

Motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled bills respectfully report they have examined and find correctly enrolled House File No. 127, an act to amend the law as it appears in section twenty-six hundred four (2604) of the Supplement to the Code, 1907, in regard to the qualifications of certain officers of the Soldiers' Home.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

On request of Senator Neal, leave of absence was granted Senator Savage for the day.

On request of Senator Thomas, leave of absence was granted Senator Dunnegan for the day.

The president announced that in the absence of Senator Webber, member of the Goodwin-Kimball contest committee, he would appoint Senator Sheean to act during his absence.

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

Senator Perkins moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 12, 1913.

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

Prayer was offered by Rev. Anthony E. Slothower, pastor Methodist Episcopal Church, Corydon, Iowa.

PETITIONS AND MEMORIALS.

Senator Doran presented a petition of citizens of the Marshalltown Club urging the enactment of such legislation as has been found successful in other states to provide for Iowa a state fund for state aid in the counties in building permanent roads, etc.

Referred to committee on Roads and Highways.

Senator Larrabee presented a petition of citizens of Boone, Iowa, and railroad employees, urging the passage of Senate File No. 102, by Doran, relative to the full crew and the limiting of number of cars to be hauled in any train.

Referred to committee on Railroads.

Senator Perkins presented a petition of officers and members of the Buchanan County Institute of Iowa, approving the passage of House File No. 96, by Brady, providing for the manufacture and distribution of anti-hog cholera serum.

Referred to committee on Agriculture.

Senator Wilson of Appanoose presented a petition of citizens of Appanoose county asking the passage of Senate File No. 172.

Referred to committee on Appropriations.

Senator Sullivan presented a petition of citizens of Polk county asking the passage of Senate File No. 172.

Referred to committee on Appropriations.

Senator Wilson of Clinton presented a petition of teachers in the public schools of Clinton county, asking for the passage of the state annuity fund bill for teachers, House File No. 161.

Referred to committee on Schools.

Senator Wilson of Clinton presented a petition of citizens of Clinton county asking the passage of Senate File No. 172.

Referred to committee on Appropriations.

Senator McColl presented a petition of citizens of the seventeenth district favoring the passage of a law that will permit protection by insurance against liability for damages on account of personal injuries or damage to property resulting from accident caused by reason of the maintenance, use or operation of automobiles.

Referred to committee on Roads and Highways.

Senator Clarkson presented a petition of citizens of Cincinnati, Iowa, asking for the passage of the workingmen's compensation bill, Senate File No. 3.

Referred to committee on Judiciary.

Senator Smith presented a petition of citizens of Bear Grove township, Cass county, objecting to the voting of a tax upon the real estate and personal property of the residents of Iowa, for the purpose of creating a road fund to make a permanent road across the state.

Referred to committee on Roads and Highways.

Senator Doran presented a petition of citizens of Boone county opposing the passage of House File No. 130, known as the Scholtz bill.

Referred to committee on Schools.

Senator Chase presented a petition of trustees of the various townships of Hamilton county favoring a law creating a county commission of three members to have complete control of the building of all permanent roads.

Referred to committee on Roads and Highways.

INTRODUCTION OF BILLS.

By Senator Spaulding, Senate File No. 222, a bill for an act to amend the law relating to the penalty for failure to pay taxes when due as the same appears in code section fourteen hundred thirteen (1413); and to amend the law relating to the redemption of real estate from tax sale as the same appears in code section fourteen hundred thirty-six (1436); and to amend the law relating to tax sales of real estate by giving to counties the right to purchase real estate at tax sales and to own and dispose of the same.

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

By Senator Darrah, Senate File No. 223, a bill for an act relating to elections and to permit a qualified voter to cast his ballot in any voting precinct within the state of Iowa and prescribing conditions and restrictions therefor.

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

By Senator Darrah, Senate Joint Resolution No. 8.

Joint Resolution of the Thirty-fifth 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.

WHEREAS: We believe that the president and vice president of the United States should be elected directly by the voters; and,

WHEREAS: To authorize such direct election, an amendment to the constitution of the United States is necessary; and,

WHEREAS: The failure of Congress to submit such amendment to the states has made it clear that the only practicable method of securing submission of such amendment to the states is through a constitutional convention to be called by Congress upon application of the legislatures of two-thirds of all the state; therefore,

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

SECTION 1. That the legislature of the state of Iowa hereby makes application to the Congress of the United States, under article V of the constitution of the United States, to call a constitutional convention for proposing amendments to the constitution of the United States.

SEC. 2. That this resolution, duly authenticated, shall be delivered forthwith 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 laid before the said Senate and House.

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

By Senator Doran, Senate File No. 224, a bill for an act to amend section thirty-three (33), chapter seventy-two (72), acts of the Thirty-fourth (34) General Assembly relating to the distribution of the fees derived from the registration of motor vehicles.

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

By Senator Wilson of Appanoose, Senate File No. 225, a bill for an act to repeal sections 3722 and 3723 of the code, 1897, and enact in lieu thereof the following, which provides for a three-fourths verdict in all civil cases.

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

By Senator Balluff, Senate File No. 226, a bill for an act to repeal the law as it appears in sections twenty-six hundred ninety-one (2691) and twenty-six hundred ninety-two (2692) of the supplement to the code, 1907, and to enact a substitute therefor to provide for the support of the Iowa Soldiers' Orphans' Home.

Read first and second time and referred to committee on Board of Control and its Institutions.

By Senator Arney, Senate File No. 227, a bill for an act to amend the law as it appears in sections ten hundred seventy-two (1072), twenty-seven hundred forty-two (2742) and twelve hundred seventy-two (1272), supplement to the code, 1907, relating to the office of county superintendent of schools; to repeal section twenty-seven hundred thirty-four-b (2734-b), supplement to the code, 1907, relating to the office of county superintendent of schools and to provide for the election, qualifications, duties and compensation of a county superintendent of schools.

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

REPORTS OF COMMITTEES.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 61, a bill for an act to provide additional funds for the Soldiers' Home, the Industrial School for Boys, the Industrial School for Girls, the State Penitentiary and the Reformatory, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 72, a bill for an act to repeal sections two (2), four (4) and nine (9) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth General Assembly, and to enact substitutes therefor, relating to the training of teachers for rural schools and making appropriation therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 22, a bill for an act to repeal section three thousand one hundred sixty-five (3165) of the Code and to enact a substitute in lieu thereof, relating to liability for family expenses, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 90, a bill for an act authorizing the recording of trans-

cripts from recorder's office of instruments affecting real estate (additional to chapter 6, title 14 of the Code, relating to conveyance of real estate) beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 207, a bill for an act to strike out all of section 5484 following the word "state" in the third line thereof, making it competent to call attention to the failure of defendant to testify in his own behalf, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 86, a bill for an act to legalize certain warrants of the city of Onawa, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Cowles, Senate File No. 228, a bill for an act to amend section four thousand eight hundred twenty-three (4823) of the code pertaining to malicious mischief and trespass.

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

By Senator Neal, Senate File No. 229, a bill for an act to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organizations and in the navy from Iowa during the civil war at a home coming during the state G. A. R. encampment at Des Moines, Iowa.

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

By Senator Neal, Senate File No. 230, a bill for an act to appropriate money toward the expense of paving East Washington street in the city of Mount Pleasant, Iowa.

Read first and second time and referred to committee on Board of Control and its Institutions.

THIRD READING OF BILLS.

On motion of Senator Balluff, House File No. 22, a bill for an act to repeal section three thousand one hundred sixty-five (3165) of the code and to enact a substitute in lieu thereof relating to liability for family expenses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balluff 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Farr, Garrett, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

Perkins, White—2.

Absent or not voting:

Ames, Dunnegan, Fellows, Francis, Gillette, Goodwin, Jewell, Spaulding, Taylor, Webber—10.

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

On motion of Senator Farr, House File No. 42, a bill for an act to amend the law as it appears in section 850-c of the supplement to the code, 1907, as amended by chapters 56 and 57 of the acts

of the Thirty-third General Assembly and chapter 44 of the acts of the Thirty-fourth General Assembly relating to the tax levy for park purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Farr 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Farr, Garrett, Heald, Hilsinger, Jones, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Smith, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Allen, Dunnegan, Fellows, Francis, Gillette, Goodwin, Jewell, Legel, Schrup, Spaulding, Taylor, Webber—12.

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

On motion of Senator Clarkson, substitute for Senate File No. 6, a bill for an act to amend section one, chapter 106, acts of the Thirty-fourth General Assembly, relating to the appointment of mine inspectors, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Schrup moved that after the vote on substitute for Senate File No. 6 was taken, the Senate adjourn in honor of Abraham Lincoln's birthday, until 10 o'clock A. M., tomorrow.

Motion lost.

Senator Clarkson moved that the substitute for the original bill be adopted.

Adopted.

Senator Clarkson 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 ayes were:

Allen, Ames, Crow, DeWolf, Garrett, Legel, Malmberg, McColl, McManus, Neal, Quigley, Ream, Sheean, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—19.

The nays were:

Arney, Balkema, Chase, Clarkson, Cowles, Darrah, Doran, Farr, Hilsinger, Larrabee, Nye, Robinson, Savage, Schrup, Smith, Spaulding—16.

Absent or not voting:

Balluff, Boe, Crist, Dunnegan, Fellows, Francis, Gillette, Goodwin, Heald, Jewell, Jones, Mattes, Perkins, Webber—14.

So the bill having failed to receive a constitutional majority was declared lost.

On request of Senator Robinson, leave of absence was granted Senator Gillette for the day.

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

On request of Senator Heald, leave of absence was granted Senator Fellows for the day.

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

Senator Clarkson filed the following motion:

I move to reconsider the vote by which Senate File No. 6 failed of passage and upon third reading.

The secretary of the Senate announced the following assignment of seats for reporters in the press gallery: No. 56, Miss Berthe J. Bowers, Daily Plain Dealer, Creston, Iowa.

Senator Schrup moved that out of respect for Lincoln's birthday, the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 13, 1913.

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

Prayer was offered by Henry E. Wilson, secretary Y. M. C. A., Marshalltown, Iowa.

PETITIONS AND MEMORIALS.

Senator Legel presented a petition of members of the Union Men's Brotherhood of Marble Rock, opposing any legislation robbing the temperance people of any recourse by counter petition.

Referred to committee on Suppression of Intemperance.

Senator Legel presented a petition of members of Blackthorn Camp, No. 220, Modern Woodmen of America, of Charles City, Iowa, opposing the Mobile insurance act as intended to apply to fraternal insurance societies.

Referred to committee on Insurance.

Senator Clarkson presented a petition of citizens of Buxton, Iowa, asking for the passage of the workmen's compensation bill.

Referred to committee on Mines and Mining.

Senator Ames presented a petition of citizens of Shellsburg, Iowa, urging the defeat of House File No. 130, which is to abolish the office of school treasurer.

Referred to committee on Schools.

Senator Wilson of Clinton presented a petition of teachers in the public schools of Clinton county, requesting the passage of the state annuity fund bill for teachers, known as House File No. 161.

Referred to committee on Schools.

Senator Doran presented a petition of citizens of Boone county, opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Sullivan presented a petition of citizens of Alleman, Iowa, opposing passage of House File No. 130.

Referred to committee on Schools.

Senator Chase presented a petition of citizens of Hardin county, Iowa, opposing passage of House File No. 130.

Referred to committee on Schools.

Senator Doran presented a petition of citizens of Story City, Iowa, objecting to 25% of the hunters' license fees reverting to the county funds.

Referred to committee on Fish and Game.

Senator Wilson of Appanoose presented a petition of members of Local Union No. 553, United Mine Workers of America, urging the passage of the employers' liability law, the working men's compensation bill, and also the bill providing for free text books for all public schools.

Referred to committee on Judiciary.

Senator Taylor presented a petition of citizens of Van Buren county, urging the passage of Senate File No. 172.

Referred to committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Dunnegan, Senate File No. 231, **a bill for an act to** amend the law as it appears in chapter eighty-three (83) of the acts of the Thirty-third (33) General Assembly relating to the issuance of bonds in cities and towns.

Read first and second time and referred to committee on Cities and Towns.

By Senator Ames, Senate File No. 232, a bill for an act to repeal the law as it appears in section forty-two (42), acts of the Thirty-third General Assembly and to enact a substitute therefor providing for the selection of an official newspaper in cities and towns, and for the publication of the proceedings of city and town councils and providing compensation therefor.

Read first and second time and referred to committee on Cities and Towns.

By Senator Darrah, Senate File No. 233, a bill for an act to provide for the election of delegates and alternate delegates to national conventions of political parties; for the election of party national committeemen; and for a preferential vote on president and vice-president of the United States (additional to chapter two-a (2-a) title VI of the supplement to the code, 1907, relating to primary elections).

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

By Senator Arney, Senate File No. 234, a bill for an act to encourage corn and small grain growing in the state of Iowa and to aid in conducting an exposition and convention of the grain growers of the state and to make an appropriation therefor.

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

Senator Perkins offered the following resolution:

SENATE CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That the secretary of the Senate and the clerk of the House be instructed to compile and order printed for the use of the Senate and the House, and the officers thereof, and for general distribution, twelve hundred and fifty (1250) copies of pocket size edition of the rules of the Thirty-fifth General Assembly, and that two hundred and fifty (250) copies be sewed and bound in flexible leather, eighty (80) for the Senate, which shall be delivered to the secretary thereof for distribution, and one hundred seventy (170) for the House, which shall be delivered to the chief clerk thereof for distribution; that each member of the General Assembly be supplied with one copy in leather cover with his name printed thereon; and one thousand (1,000) be stitched and bound in paper covers for general distribution.

By unanimous consent the resolution was taken up for consideration.

Senator Perkins moved the adoption of the resolution.

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 Concurrent Resolution, in which the concurrence of the Senate is asked:

House Concurrent Resolution relative to adjournment from February 26 to March 4.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House Concurrent Resolution relative to a joint convention to listen to an address by Edwin G. Cooley on vocational training.

A. C. GUSTAFSON,
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. 120, a bill for an act to legalize certain warrants of the city of Marshalltown, Iowa.

A. C. GUSTAFSON,
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. 153, a bill for an act authorizing holdover senators to file with the secretary of state any bill for a law that he may intend to present for the consideration of the General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

REPORTS OF COMMITTEES.

Senator F. F. Jones, 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. 141, a bill for an act to repeal the law as it appears in section twenty-six hundred ninety-two-a (2692-a) of the Supplement to the Code of 1907, and to repeal section one (1) of chapter one hundred seventy-two (172) of the acts of the Thirty-third General Assembly, relating to state agents, their salaries and supplies and to enact a substitute therefor and to amend section one (1) of chapter one hundred thirty-four (134), making an appropriation for the salaries and expenses of state agents, beg leave to report they have had the same under consideration and recommend the same do pass, after being referred to the committee on Appropriations.

F. F. JONES,
Chairman.

Adopted.

So the bill was referred to committee on Appropriations.

Senator Nye, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred Senate File No. 24, a bill for an act to appropriate money for the indemnity by way of compensation of Clara Bahls for personal injury sustained while working in the laundry department in the state institution for the deaf and dumb at Council Bluffs, Iowa, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute, and recommend the same be referred to the committee on appropriations, and further recommend the same do pass:

A BILL FOR AN ACT to Appropriate Money for the Indemnity by Way of Compensation to Clara Bahls for Personal Injury Sustained While Working in the Laundry Department in the State Institution for the Deaf and Dumb at Council Bluffs, Iowa.

WHEREAS: One Clara Bahls, an inmate of the state institution for deaf and dumb located at Council Bluffs, Iowa, while working in the laundry department operating a mangle, sustained personal injury which caused the loss and amputation of her right hand, and who was at the time about seventeen (17) years of age, the injury referred to occurring on or about the .....day of....., 1911, and who was at the time deaf and dumb but otherwise a strong, healthy person, but which injury has disabled her to such an extent that she will not be able to do or perform any labor suitable to her station in life and thereby be self-supporting. That said injury occurred and was sustained by said person in an attempt upon her part to remove a cloth, or part thereof, while the mangle was in operation which caught her hand, producing the injury as aforesaid; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. There is hereby appropriated out of the moneys of this state not otherwise appropriated an amount equal to the payments per month by this act provided for the payment of compensation to Clara Bahls for injury sustained while working in the laundry department of the state institution for the deaf and dumb at Council Bluffs, Iowa.

SEC. 2. The Board of Control of the state of Iowa is hereby authorized and directed to certify monthly to the auditor of state, a bill in favor of Clara Bahls for the sum of twenty ($20.00) dollars per month for a period of fifty (50) months; and the auditor of state be and he is hereby authorized and directed to draw a warrant on the treasurer of state for said amounts when certified as herein contemplated.

A. D. NYE,
Chairman.

Substitute read first and second time.

Report adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Claims, to whom was referred House File No. 43, a bill for an act appropriating the sum of five thousand ($5,000.00) dollars to indemnify Allan W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute, and recommend the same be referred to the committee on Appropriations and further recommend the same do pass:

A BILL FOR AN ACT Appropriating the Sum of Twenty-seven Hundred ($2,700.00) dollars, to indemnify Allan W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa.

WHEREAS: On the eleventh day of August, 1911, Allan W. Hamaker, while acting in his capacity as guard in the reformatory, was attacked by one of the prisoners and his brother, and while so engaged was shot by one of the parties and permanently injured; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated out of the funds in the state treasury, and not otherwise appropriated, the sum of twenty-seven hundred ($2,700.00) dollars, to indemnify Allan W. Hamaker in full for the damages sustained by him on account of the injuries received as aforesaid.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

A. D. NYE,
Chairman.

Substitute read first and second time.

Report adopted.

So the bill was referred to committee on Appropriations.

Senator McColl, from the committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your committee on Banks and Banking, to whom was referred Senate File No. 21, a bill for an act to repeal section 1869 of the Supplement of the Code, 1907, and to enact a substitute therefor, providing for the compensation of officers and directors of state savings banks and providing for loans to such officers and directors and penalty for a violation of the provisions of the law, beg leave to report they have had the same under consideration and recommend the same do pass.

A. M. MCCOLL,
Chairman.

Report adopted.

Senator McColl called up for consideration House concurrent resolution relative to furnishing codes and code supplements to

the assistant secretaries in the Senate and the assistant clerk and Journal clerks of the House.

Senator McColl moved that the Senate concur in the House concurrent resolution.

Motion carried.

Senator Boe introduced the following concurrent resolution:

SENATE CONCURRENT RESOLUTION.

WHEREAS: We highly appreciate the honor that has come to our commonwealth in having within its borders the eminent and distinguished explorer and discoverer of the south pole, Captain Ronald Amundsen;

Be it resolved by the Senate of the state of Iowa, the House of Representatives concurring, That we congratulate him upon his daring and wonderful achievements, whereby he has brought fame to his native land, glory to himself, and enlightenment to the entire world; that we welcome Captain Amundsen to our state as an honored guest, extending to him the freedom of our legislative halls, and invite him to address us on his wonderful exploits.

By unanimous consent the resolution was taken up for consideration.

Senator Boe moved the adoption of the resolution.

Adopted.

REPORTS OF COMMITTEES.

Senator Savage, from the committee on Public Schools, submitted the following report:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 127, a bill for an act to amend the law as it appears in section twenty-seven hundred and fifty-four (2754) of the Supplement to the Code, 1907, relating to the election of officers in independent school districts in towns and cities, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

That the word "seven" be substituted for the word "five" in line seven (7) of section one (1).

That the words "and a blank line for each such officer to be elected" be added after the word "provided" in line fourteen (14) of section one (1).

That the words "and each blank line" be added after the word "name" in line fourteen (14) of section one (1); and when so amended the bill do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled House File No. 48, a bill for an act to amend section six hundred fifteen (615) of the Supplement to the Code, 1907, relative to the extension of the limits of cities and towns.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

HOUSE MESSAGES CONSIDERED.

House concurrent resolution, resolved by the House, the Senate concurring, that this assembly adjourn Wednesday, February 26th, 1913, to re-convene Tuesday, March 4th, 1913, at 10 o'clock A. M.

Passed on file.

House concurrent resolution, resolved, by the House, the Senate concurring, that a committee of three from the House and two from the Senate be appointed to extend an invitation to Edwin G. Cooley, of Chicago, to address a joint session of the Senate and House in the near future, on vocational training and continuation schools.

Passed on file.

Senate File No. 120, a bill for an act to legalize certain warrants of the city of Marshalltown, Iowa.

Passed on file.

Senate File No. 153, a bill for an act to authorize senators holding over and members of the House and Senate holding certificates of election to file with the secretary of state and have printed before the meeting of the general assembly, any bill for a law that he may intend to present to the consideration of that body.

Passed on file.

THIRD READING OF BILLS.

On motion of Senator Crow, Senate File No. 86, a bill for an act to legalize certain warrants of the city of Onawa, 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 Crow moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Jones, Larrabee, Legel, Mattes, McColl, McManus, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, Ames, Chase, Crist, Francis, Goodwin, Heald, Hilsinger, Jewell, Malmberg, Neal—11.

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

On motion of Senator Boe, Senate File No. 72, a bill for an act to repeal sections two (2) four (4) and nine (9) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor, relating to the training of teachers for rural schools and making appropriation therefor, with report of committee on Appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Boe moved the adoption of the following amendments, recommended by committee on Schools:

Amend the title, adding after the comma (,) in the third line the following: "and amend section eight (8) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth (34) General Assembly." Amend the said bill as follows:

"SEC. 4. That section eight (8) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth General Assembly be and the same is hereby amended by striking out all of said section after the period (.) following the word 'certificates' in line five (5) of said section and substituting in lieu thereof the following:

'At the expiration of said certificates the superintendent of public instruction is authorized to renew it for a period of three (3) years under the same conditions that apply to the renewal of first grade uniform county certificates.'"

Adopted.

Senator Farr moved that further consideration of this bill be postponed until 11 o'clock Friday morning, and that it be made a special order for that time.

Motion carried.

REPORTS OF COMMITTEE.

Senator Sullivan, 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. 22, a bill for an act to amend section seven hundred and seventy-seven (777) of the Code, relating to temporary sidewalks, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 109, a bill for an act to amend the law as it appears in section ten hundred and fifty-six-a-eleven (1056-a-11) of the Supplement to the Code, 1907, relating to municipal accounting of cities and towns, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of report.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 108, a bill for an act to amend the law as it appears in section ten hundred and fifty-six-a-twelve (1056-a-12) of the Supplement to the Code, 1907, relating to municipal accounting of cities and towns, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the report of the committee be adopted.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 135, a bill for an act to amend the law as it appears in chapter sixty-four (64), acts of the Thirty-third General As-

sembly, relating to the government of certain cities, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT to Amend the Law as it Appears in Chapter Sixty-four (64) of the Acts of the Thirty-third (33d) General Assembly as Amended by Chapters Fifty-two (52), Fifty-four (54) and Fifty-five (55) of the Acts of the Thirty-fourth (34th) General Assembly, Relating to the Government of Certain Cities.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the law as it appears in chapter sixty-four (64) of the acts of the Thirty-third (33d) General Assembly, as amended by chapters fifty-two (52), fifty-four (54) and fifty-five (55) of the acts of the Thirty-fourth (34th) General Assembly, all being amendatory to chapter fourteen-c (14-c) of title five (V), Supplement to the Code, 1907, be and the same is hereby amended by striking from said chapter the word "seven" wherever said word immediately precedes the word "thousand" and refers to the population of cities, and inserting in lieu thereof in each place the word "two".

SEC. 2. That the law as it appears in section two (2) of chapter sixty-four (64) of the acts of the Thirty-third (33d) General Assembly, as amended by chapter fifty-two (52) of the acts of the Thirty-fourth (34th) General Assembly, amendatory to chapter fourteen-c (14-c) of title five (V), Supplement to the Code, 1907, be and the same is hereby amended by striking out all that portion following the comma after the figures "1907" in the nineteenth (19th) line thereof down to and including the word "Assembly" in the twentieth (20th) line of said section, and inserting in lieu thereof the following: "and amendments thereto".

SEC. 3. That the law as it appears in section nine (9) of chapter sixty-four (64) of the acts of the Thirty-third (33d) General Assembly be and the same is hereby amended by striking out of said section all following the semi-colon after the word "following" in the seventh (7th) line of said section, and inserting in lieu thereof the following:

"The mayor and councilmen shall have an office in the city hall, and their total compensation shall be as follows:

1. In cities having by the last preceding state or national census a population of not less than 2,000 nor more than 15,000, the mayor shall receive one hundred dollars ($100) for each 1,000 population or major portion thereof, and the councilmen four-fifths (4-5) of this amount.

2. In cities having by such census a population of not less than 15,000 nor more than 25,000, the mayor shall receive eighteen hundred dollars ($1800), and the councilmen four-fifths (4-5) of this amount.

3. In cities having by such census a population of 25,000 and less than 40,000, the mayor's annual salary shall be twenty-five hundred dollars ($2,500), and each councilman eighteen hundred dollars ($1,800).

4. In cities having by such census a population of 40,000 and less than 60,000, the mayor's annual salary shall be three thousand dollars ($3,000), and each councilman twenty-five hundred dollars ($2,500).

5. In cities having by such census a population of 60,000 or more, the mayor's salary shall be thirty-five hundred dollars ($3,500), and that of each councilman, three thousand dollars ($3,000)"; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 34, a bill for an act to amend section seven hundred forty-one-d (741-d) of the Supplement to the Code, 1907, relating to the power to erect a city hall and to purchase the ground therefor in certain cities, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 178, a bill for an act to repeal the law as it appears in section seven hundred eleven (711) of the Code and enacting a substitute therefor relative to the powers of cities and towns in respect to prevention of fires, accidents from electrical apparatus, fire limits and the erection of structures within fire limits, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT to Repeal the Law as it Appears in Section Seven Hundred Eleven (711) of the Code and to Enact a Substitute Therefor Relating to the Powers of Cities and Towns to Enact Ordinances for Protection Against Fires, Accidents from Electrical Apparatus, to Establish Fire Limits, to Prohibit Within Such Limits the Erection of Buildings and Structures of Certain Construction and Providing for the Cost of Removal or Taking Down of Buildings Erected in Violation of Such Ordinances.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section seven hundred eleven (711) of the Code and the law as it appears therein be and the same is hereby repealed and the following enacted in lieu thereof:

"Cities and towns shall have power to make regulations for protection against fire and electrical apparatus, to establish fire limits, to prohibit within such limits the erection of all buildings and structures of every kind, additions thereto, substantial alterations thereof, involving partial rebuilding, not constructed of fire proof materials, in whole or in part, as prescribed by ordinance, and to remove or take down any building or structure or part thereof erected contrary to such ordinances and to collect the cost thereof from the owner; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Cowles, by request, Senate File No. 235, a bill for an act to amend section one thousand one hundred eighty-seven (1187) of the code relative to sureties upon official bonds.

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

By Senator Jones, Senate File No. 236, a bill for an act making additional appropriations to the state historical society of Iowa.

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

THIRD READING OF BILLS.

On motion of Senator Wilson of Appanoose, Senate File No. 207, a bill for an act to strike all of section 5484 following the word "state" in the third line thereof, making it competent to call attention to the failure of defendant to testify in his own behalf, with report of committee recommending indefinite postponement, was taken up and considered.

Senator Wilson moved that the report of the committee be not adopted.

On the motion of Senator Wilson a roll call was demanded.

Those favoring the motion were:

Arney, Darrah, Doran, Dunnegan, Gillette, Jones, McColl, Nye, Smith, Wilson of Appanoose—10.

The nays were:

Allen, Ames, Chase, Clarkson, Cowles, Crist, DeWolf, Farr, Fellows, Heald, Hilsinger, Larrabee, Legel, Mattes, Perkins, Quigley, Ream, Robinson, Sheean, Spaulding, Sullivan, Thomas, White, Wilson of Clinton—24.

Absent or not voting:

Balkema, Balluff, Boe, Crow, Francis, Garrett, Goodwin, Jewell, Malmberg, McManus, Neal, Savage, Schrup, Taylor, Webber —15.

So the motion was lost.

Report of committee adopted, and 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 an invitation to Captain Amundsen to address a joint session of the General Assembly.

A. C. GUSTAFSON,
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, relative to authorizing the General Assembly to provide for exclusive taxation of classes of property for state revenue purposes.

A. C. GUSTAFSON,
Chief Clerk.

On request of Senator Farr, leave of absence was granted Senator Malmberg for the day.

HOUSE MESSAGE CONSIDERED.

House concurrent resolution:

WHEREAS: We highly appreciate the honor that has come to our commonwealth in having within its borders the eminent and distinguished explorer and discoverer of the south pole, Captain Ronald Amundsen;

Be it resolved by the House of Representatives of the State of Iowa, the Senate concurring, That we congratulate him upon his daring and wonderful achievements, whereby he has brought fame to his native land, glory to himself, and enlightenment to the entire world; that we welcome Captain Amundsen to our state as an honored guest, extending to him the freedom of our legislative halls, and invite him to address us on his wonderful exploits.

Senator Boe moved that the House concurrent resolution be substituted for the Senate concurrent resolution, and that the Senate concur in the resolution.

Carried.

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

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator DeWolf, Senate File No. 237, a bill for an act relating to fire insurance and prohibiting discrimination therein and rebate of the premium charged and providing a penalty therefor.

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

On request of Senator Sheean, leave of absence was granted Senator Balluff until Monday.

On request of Senator Taylor, leave of absence was granted Senator Neal for the day.

THIRD READING OF BILLS.

On motion of Senator Sullivan, Senate File No. 19, a bill for an act to prohibit and punish marriage, adultery, or voluntary sexual intercourse between white persons and negroes; to define negroes and to prohibit and punish the issuance of marriage

licenses to and the solemnization of marriagecs between the persons prohibited by this act; additional to chapter 1 of title XVI of the code, was taken up and considered.

Senator Sullivan raised the point of order that the motion to reconsider filed by Senator Clarkson on February 11th was out of order. The chair declared the point of order well taken.

So the bill was indenfiitely postponed.

Senator Doran moved that the Senate do now adjourn until 12:50 P. M., today.

Motion carried.

Senate adjourned.

AFTERNOON SESSION.

February 13, 1913.

Senate met at 12:50 P. M., pursuant to adjournment, President Pro Tem Savage presiding.

President Pro Tem Savage announced that Senator Sheean had asked to be relieved as a member of the Goodwin-Kimball contest committee, and that he had re-appointed Senator Webber as a member of that committee.

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

Senate proceeded to the House under the direction of the sergeant-at-arms.

JOINT PROCEEDINGS.

The joint convention was called to order by President Pro Tempore Savage of the Senate, president of the joint convention, at one o'clock P. M.

The roll was called and the following responded as present:

Ames, Anderson of Greene, Anderson of Montgomery, Arney, Atkinson, Balkema, Barry, Bartle, Bauman, Bernbrock, Bingham, Black, Bliss, Boe, Boettger, Bradley, Brady, Brockway,

Brown, Burt, Buxton, Cannon, Carson, Chapman, Clark, Cole, Craig, Crist, Crozier, Cunningham, Daniels, Darrah, Dawson, DeWolf, Dixon, Doran, Doze, Dunlap, Dunnegan, Eggleston, Elliott, Elwood, Enger, Erickson, Farr, Fellows, Fraley, Garrett, Gillette, Greene of Grundy, Greene of Clinton, Griffin, Griggs, Hadley, Halgrims, Halstead, Hamilton, Hansen, Hazen, Heald, Heaton, Helming, Hilsinger, Huff, Hunt, Huntley, Hutchins, Jacobs, Jamison, Jensen, Jones of Montgomery, Jones of Dickinson, Kane, Kelso, Kingland, Klay, Koontz, Larrabee of Webster, Legel, Lenocker, LeRoy, Lounsberry, Manning, Mattes, McColl, McCullough, McHose, McManus, Meredith, Milton, Munro, Neal, Newcomb, Nye, Odendahl, Peterson, Pickford, Power, Ream, Ring, Robinson, Rohwer, Savage, Scholz, Schrup, Shankland, Sherman, Smith, Stipe, Stokes, Stutt, Sullivan, Taylor, Thomas, Thompson, Townsend, Webb, Webber, White of Iowa, White of Benton, Whitney, Wilson of Clinton, Workman—123.

Those absent were:

Allen, Balluff, Blackford, Bruce, Chase, Clarkson, Cowles, Cronbaugh, Crow, Downey, Francis, Goodwin, Grout, Jacobson, Jewell, Kulp, Larrabee of Fayette, Lund, Malmberg, McVicker, Miller, Mitchell, Perkins, Quigley, Rone, Saltzmann, Scott, Sheean, Sidey, Spaulding, Steelsmith, Thayer, Trumbauer, Wilson of Appanoose—34.

President Savage announced the joint convention duly organized with a quorum of the members present.

The following gentlemen addressed the joint convention on the subject of the future policy of higher education in Iowa: D. D. Murphy, J. B. Weaver, Senator Trewin, Judge C. G. Lee, H. L. Adams, Robert Reno and W. O. Payne.

Journal of joint convention read and approved.

Senator DeWolf moved that the joint convention be dissolved.

Motion prevailed.

Senate returned to the Senate chamber and resumed its sitting.

Senator Dunnegan moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 14, 1913.

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

Prayer was offered by Rev. J. P. Van Horn of Oelwein, Iowa.

PETITIONS AND MEMORIALS.

Senator Neal presented a petition of citizens of Mount Union, Iowa, protesting the passage of House File No. 130.

Referred to committee on Schools.

Senator Neal presented a petition of citizens of Washington county, Iowa, favoring an appropriation to assist in the promotion of an exposition to be held in Des Moines, some time during the year 1913, for the display of evidences of the progress of Iowa's negro citizens during the semi-centennial period.

Referred to committee on Appropriations.

Senator Darrah presented a petition of teachers of Des Moines, Lee and Lucas counties, favoring the teachers' pension bill.

Referred to committee on Schools.

Senator Webber presented a petition of citizens of Wapello county, favoring passage of Senate File No. 172.

Referred to committee on Appropriations.

Senator Garrett presented a petition of teachers of Muscatine, Iowa, urging passage of the Cowles-Hazen teachers' pension bill.

Referred to committee on Schools.

Senator Dunnegan presented a petition of citizens of Page county, Iowa, favoring passage of Senate File No. 172.

Referred to committee on Appropriations.

Senator Crow presented a petition of farmers of Crawford county, urging the passage of House File No. 96, providing for the establishment of a hog cholera serum plant at Des Moines.

Referred to committee on Agriculture.

Senator Nye presented a petition of citizens of Taylor county, asking for the passage of Senate File No. 172, providing for an appropriation to assist in the promotion of an exposition for the display of evidences of the progress of Iowa's negro citizens during the past fifty years.

Referred to committee on Appropriations.

Senator Fellows presented a petition of citizens of Wheatland district, Allamakee county, opposing the passage of House File No. 130, to abolish the office of school treasurer.

Referred to committee on Schools.

Senator White presented a petition of citizens of Iowa county, remonstrating against spending millions in building hard roads across the state, and against the state road commission.

Referred to committee on Roads and Highways.

Senator Arney presented a petition of citizens of Marshall county, asking for the passage of Senate File No. 172.

Referred to committee on Appropriations.

Senator Clarkson presented a petition of citizens of Ottumwa, asking the passage of Senate File No. 3, known as the workmen's compensation bill.

Referred to committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Webber, Senate File No. 238, a bill for an act to amend the law as it appears in section six hundred thirty-nine (639) of the code relating to the classes of cities and towns.

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

By Senator Sheean, by request, Senate File No. 239, a bill for an act amending section 2157-g of the supplement to the code 1907, relating to the free issuing of transportation by common carriers of passengers in certain cases.

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

By Senator Gillette, Senate File No. 240, a bill for an act to legalize deeds and instruments of conveyance, tax deeds, sheriff's deeds, deeds of administrators, executors, and guardians, and all other conveyances made and recorded prior to the first day of January, A. D. 1890, additional to chapter 6, title 14 of the code, relating to the conveyance of real estate.

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

By Senator Doran, Senate File No. 241, a bill for an act making appropriations for additional improvements and land at the Iowa State Fair and Exposition grounds.

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

By Senator Heald, Senate File No. 242, a bill for an act appropriating the sum of five thousand dollars ($5,000.00) to indemnify M. O. Clemens for personal injuries sustained by him while employed as engineer in the state sanatorium for the treatment of tuberculosis at Oakdale, Iowa.

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

By Senator Wilson of Appanoose, by request, Senate File No. 243, a bill for an act to amend the law as it appears in section twenty-nine hundred-a-twenty-one (2900-a-21), section twenty-nine hundred-a-twenty-two (2900-a-22), section twenty-nine hundred-a-twenty-four (2900-a-24) supplement to the code, 1907; and to repeal section twenty-nine hundred-a-twenty-seven (2900-a-27) supplement to the code, 1907, relating to meandered lakes and lake beds.

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

HOUSE MESSAGE CONSIDERED.

House Joint Resolution No. 4.

Joint Resolution Proposing an Amendment to the Constitution of the State of Iowa, Authorizing the General Assembly to Provide for the Exclusive Taxation of Classes of Property for State Revenue Purposes.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the following amendment to the constitution of the state of Iowa be, and the same is hereby proposed: To add, as section thirty-nine (39) to article three (3) of said constitution the following, to-wit:

"SEC. 39. For the purpose of providing revenue for state purposes, the General Assembly may provide for the exclusive taxation of such classes of property as it may deem proper. When any class of property is exclusively taxed for state revenue purposes, such class shall not be otherwise taxed for general county, township or municipal purposes."

SEC. 2. That the foregoing proposed amendment to the constitution of the state of Iowa be, and the same is hereby referred to the legislature to be chosen at the next general election for members of the General Assembly, and that the secretary of state cause the same to be published for three months previous to the day of such election, as provided by law.

Resolved further, That should said proposed amendment be agreed to by a majority of the members of the said succeeding General Assembly, the said proposed amendment shall be submitted to the electors of the state of Iowa at the general election in the year 1916.

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

Senator Crow submitted the following report:

MR. PRESIDENT—Your Conference committee appointed to adjust the differences of the Senate and the House, on House Concurrent Resolution relating to furnishing Codes for representatives of the press, after fully and freely conferring, beg leave to report and recommend the following:

First. That the Senate reconsider the vote by which it adopted the Senate amendment.

Second. That the House reconsider the vote by which it adopted the Concurrent Resolution.

Third. That the House and Senate adopt the Substitute Resolution hereby recommended.

FRANK S. SHANKLAND,
HERBERT A. HUFF,
JOHN W. JACOBS,
J. M. C. HAMILTON,
Conferees on the part of the House.

E. L. CROW,
FREDERIC LARRABEE,
N. J. SCHRUP,
JOHN B. SULLIVAN,
Conferees on the part of the Senate.

SUBSTITUTE CONCURRENT RESOLUTION.

Be it resolved by the House, the Senate concurring, That the secretary of state be requested to furnish each representative of the press who have assignments of seats in the House and Senate of the Thirty-fifth General Assembly, a copy of the Code and Supplement thereto and subsequent session laws and annotations, and House and Senate Journal of the Thirty-fourth General Assembly for use during session of the Thirty-fifth General Assembly.

Senator Crow moved that the report of the conference committee be adopted.

Carried.

Senator Crow moved that the Senate reconsider the vote by which the Senate amendment to concurrent resolution was adopted.

Carried.

Senator Crow moved that the substitute concurrent resolution be adopted.

Carried.

Unanimous consent was given Senator Allen to introduce the following resolution:

WHEREAS: The joint committee on Retrenchment and Reform is in need of extra help; and,

WHEREAS: Clara Gates and Helena Lynch, committee clerks appointed by Senator Jewell and Senator Gates, deceased, are at the present time without work; therefore,

Be it resolved, That Clara Gates and Helena Lynch be assigned temporarily to the joint committee on Retrenchment and Reform.

By unanimous consent, the resolution was taken up for consideration.

Senator Allen moved the adoption of the resolution.

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 Concurrent Resolution, in which the concurrence of the House was asked:

Senate Concurrent Resolution providing for the printing of the rules of the Thirty-fifth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House Concurrent Resolution extending an invitation to Secretary of Agriculture, James Wilson, to address the Thirty-fifth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate amendments to House File No. 36, a bill for an act relative to the election of park commissioners.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 18, a bill for an act to amend section 937 of the Code, relating to the filling of vacancies in office of alderman in cities under special charters.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 66, a bill for an act to amend section 1989 of the Supplement to the Code, 1907, relating to assessments for benefits to roads, streets and highways in drainage districts.

A. C. GUSTAFSON,
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. 4, a bill for an act relative to bonded indebtedness of school corporations, repealing section 2813 of the Supplement to the Code, 1907.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate amendments to House File No. 44, a bill for an act relative to taxation of unplatted lands within the limits of cities and towns.

A. C. GUSTAFSON,
Chief Clerk.

Senator Chase offered the following resolution:

CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring, First. That the practice of issuing free passes to the Iowa State Fair to the members of the legislature is against public policy and contrary to the spirit of our laws. In all cases where a charge is made to the general public for admission, there should be no complimentary tickets nor free admissions, nor any discrimination permitted and we recommend that free passes and tickets and special favors be discontinued.

Second. That a copy of this resolution be transmitted to the secretary of the State Fair.

Laid over under the rules.

HOUSE MESSAGES CONSIDERED.

Senate File No. 18, a bill for an act to amend section nine hundred thirty-seven (937) of the code, relating to the filling of vacancies in the office of alderman in cities under special charter.

Passed on file.

House File No. 66, a bill for an act to amend the law as it appears in sections 1989-a-19, 1989-a-26, 1989-a-27, and 1989-a-38, of the supplement to the code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-fourth General Assembly, and chapter 120 of the acts of the Thirty-third General Assembly, relating to assessments for benefits to roads, streets, and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued.

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

Substitute for Senate File No. 4, a bill for an act to amend section two thousand eight hundred thirteen (2813) of the supplement to the code, 1907, relating to the levying of taxes in school districts for the payment of principal and interest on bonded indebtedness.

Passed on file.

House File No. 44, a bill for an act to amend section six hundred sixteen (616) of the code relative to taxation of unplatted lands within the limits of cities and towns.

Passed on file.

Senate concurrent resolution providing for the printing of the rules of the Thirty-fifth General Assembly.

Passed on file.

House concurrent resolution.

WHEREAS: Our fellow citizen, the Honorable James Wilson, who for sixteen years has so ably filled the important cabinet position as secretary of agriculture for the United States, is about to retire from public life;

Be it resolved by the House, the Senate concurring, That an invitation be extended to Secretary James Wilson to address a joint convention of the Thirty-fifth General Assembly and that a committee of two from the House and one from the Senate be appointed to extend such invitation to Secretary Wilson and arrange the date for such joint convention.

By unanimous consent the concurrent resolution was taken up for consideration.

Senator Ames moved that the Senate concur in the House concurrent resolution.

Motion carried.

President Pro Tem Savage appointed Senator Ames as a member of such committee on the part of the Senate.

House File No. 36, a bill for an act to amend section eight hundred fifty-a (850-a) of the supplement to the code, 1907, relating to the election of park commissioners.

Passed on file.

THIRD READING OF BILLS.

On motion of Senator Clarkson, Senate File No. 4, a bill for an act relating to bonded indebtedness of school corporations and providing for the payment thereof, repealing section twenty-eight hundred and thirteen (2813) of the supplement to the code, 1907, and all other acts or parts of acts in conflict with this act, was taken up and considered.

Senator Clarkson moved that the Senate concur in the following House amendments:

By striking out all of the provisions of section 1 and inserting in lieu thereof the following:

That section two thousand eight hundred thirteen (2813) of the supplement to the code, 1907, be amended by striking out the word "assessed" in the eighth line thereof and inserting in lieu thereof the word "actual"; and by striking out the words in the eighth and ninth lines, "for money borrowed for improvements"; and

By striking out the whole of sections two (2), three (3), and four (4);

By striking out the figure "5" in section 5 and inserting in lieu thereof the figure "2";

By striking out the title to said bill and inserting in lieu thereof the following:

A bill for an act to amend section two thousand eight hundred thirteen (2813) of the supplement to the code, 1907, relating to the levying of taxes in school districts for the payment of principal and interest on bonded indebtedness.

On the question, "Shall the Senate concur in the House amendments?"

The ayes were:

None.

The nays were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

Absent or not voting:

Balluff, Crist, Crow, DeWolf, Francis, Goodwin, Jewell, McColl, McManus, Neal, Ream, Savage, Webber—13.

So the House amendments having failed to receive a constitutional majority were declared lost.

On motion of Senator Larrabee, Senate File No. 61, a bill for an act to provide additional funds for the Soldiers' Home, the Industrial School for Boys, the Industrial School for Girls, the state penitentiary and the reformatory, with report of committee on Appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Larrabee 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Balluff, Cowles, Crist, Crow, DeWolf, Francis, Goodwin, Jewell, Savage, Webber—10.

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

On motion of Senator Wilson of Clinton, Senate File No. 21, a bill for an act to repeal section 1869 of the supplement of the code of 1907 and to enact a substitute therefor providing for the compensation of officers and directors of state savings banks and providing for loans to such officers and directors and penalty for a violation of the provisions of the law, 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 postponed.

The time having arrived for the special order, Senate took up for consideration Senate File No. 72, a bill for an act to repeal sections two (2), four (4), and nine (9), of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth General Assembly and to enact substitutes therefor, relating to the training of teachers for rural schools and making appropriation therefor.

The bill was read for information.

Senator Boe moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Balluff, Farr, Francis, Goodwin, Jewell, Savage, Schrup, Sheean—8.

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

On motion of Senator Wilson of Clinton, Senate File No. 21, a bill for an act to repeal section 1869 of the supplement to the code of 1907 and to enact a substitute therefor, providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for a violation of the provisions of the law, was taken up and considered.

Senator Perkins offered the following amendments and moved their adoption:

I move to amend the title by striking out the word "of" following the word "supplement" and inserting the word "to", and striking out the word "of" at the end of the first line.

Also amend section 1 by striking out the word "of" following the word "supplement" and inserting the word "to" and strike out the word "of" following the word "code" in line 3. Also strike out the following catch words in section one: "Compensation of officers and directors. Loans to officers and directors and penalty for violation."

Adopted.

Senator Larrabee offered the following amendment and moved its adoption: I move to amend by striking out the figures "$10.00" in line 7 of the printed bill and inserting in lieu thereof the figures "$5.00".

Senator Clarkson offered the following substitute amendment and moved its adoption:

I move to amend the bill by adding the following after the word "meeting" in line nine (9) of the printed bill: "Provided that compensation as herein contemplated shall be limited to one meeting of the board of directors for each month in the year."

Lost.

Senator Chase offered the following substitute amendment and moved its adoption:

I move to amend by adding the following proviso after the word "meeting" in the ninth (9) line of the printed bill: "The compensation under this act shall not exceed one hundred ($100.00) dollars for each director for any one year."

Senator Cowles moved the previous question.

Carried.

On the adoption of the amendment offered by Senator Chase a roll call was demanded.

Senator Allen moved that the vote by which the previous question was ordered be reconsidered.

Motion declared out of order.

Senator Ames moved that the Senate do now adjourn until 9:30 o'clock A. M., tomorrow.

Senator Clarkson stated that he desired to appeal from the ruling of the chair regarding the motion of Senator Allen to reconsider the vote by which the previous question was ordered.

Senator Allen filed the following motion:

I move to reconsider the vote by which the previous question was ordered on Senate File No. 21 and amendments.

J. H. Allen.

Motion to adjourn carried.

Senate adjourned until 9:30 A. M., tomorrow

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 15, 1913.

Senate met in regular session at 9:30 o'clock A. M., President Pro Tem Savage presiding.

Prayer was offered by Rev. Charles O'Connor of the Church of the Visitation, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Doran presented two petitions of citizens of Boone county favoring passage of "daylight" bill.

Referred to committee on Suppression of Intemperance.

Senator Robinson presented a petition of citizens of Cerro Gordo county urging passage of Senate File No. 172.

Referred to committee on Appropriations.

Senator Nye presented a petition of citizens of Bedford, Iowa, urging passage of House File No. 96.

Referred to committee on Agriculture.

Senator Doran presented a petition of citizens of Boone county opposing passage of "daylight" bill.

Referred to committee on Suppression of Intemperance.

Senator Crist presented a petition of members of the Woman's Christian Temperance Union of Andrew, Iowa, favoring the Powers bill in regard to limiting the operations of saloons between 7 o'clock in the morning and 7 o'clock in the evening.

Referred to committee on Suppression of Intemperance.

Senator Balkema presented a petition of teachers of the Hawarden public schools asking the passage of House File No. 161.

Referred to committee on Schools.

Senator Clarkson presented a petition of citizens of Foster, Iowa, favoring the passage of Senate File No. 3.

Referred to committee on Judiciary.

Senator Sullivan presented a petition of citizens of Des Moines, members of Local Union No. 55, urging the passage of Senate File No. 3.

Referred to committee on Judiciary.

Senator Jewell presented a petition of citizens of Winneshiek county urging passage of Senate File No. 163, a bill to prohibit unfair discriminations in all commodities of commerce, between sections, localities, cities or towns.

Referred to committee on Commerce and Retail Trade.

Senator Taylor presented a petition of citizens of Van Buren county opposing House File No. 130.

Referred to committee on Schools.

On request of Senator Ames, leave of absence was granted Senator Wilson of Appanoose for the day.

On request of Senator Legel, leave of absence was granted Senator Ream for the day.

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

A committee from the House appeared and extended an invitation to the Senate to be present in the House chamber at 9:45 A. M., to listen to an address by Dr. Harvey Wiley of Washington, D. C.

Senator Allen moved that the Senate accept the invitation of the House and take a recess from 9:45 to 10:15.

Carried.

Senator Chase presented a petition of citizens of Hardin county favoring the passage of the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Spaulding, Senate File No. 244, a bill for an act repealing the law as it appears in section twenty-four hundred fifty (2450) supplement to the code, 1907, and providing a substitute therefor relating to statements of consent to keep for sale and sell intoxicating liquors under the mulct law.

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

By Senator Dunnegan, Senate File No. 245, a bill for an act to amend section eight hundred twenty (820) of the code fixing time in which the city council or board of public works, where such board exists, shall ascertain the cost and prepare the assessment, plat and schedule relative to the special assessment of property for the making or reconstruction of street improvements.

Read first and second time and referred to committee on Cities and Towns.

By Senator Wilson of Appanoose, by request, Senate File No. 246, a bill to provide for the immediate registration of all births and deaths throughout the state of Iowa by means of certificates of births and deaths, and burial or removal permits; to require prompt returns to the bureau of vital statistics at the capital of the state, as required to be established by the state registrar of vital statistics; to insure the thorough organization and efficiency of the registration of vital statistics throughout the state; to provide certain penalties; to repeal all acts and parts of acts in conflict herewith, and to appropriate fifteen thousand dollars ($15,000) therefor.

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

By Senator Sullivan, Senate File No. 247, a bill for an act to amend section five hundred ten-b (510-b) supplement to the code, 1907, relating to sheriffs, deputy sheriffs and their compensation.

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

By Senator Balkema, by request, Senate File No. 248, a bill for an act to amend the law as it appears in section 2575-a-9, chapter 16-a, supplement to the code, 1907, relating to annual appropriation for bacteriological laboratory.

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

The hour of 9:45 having arrived, the Senate took a recess until 10:15 A. M.

Senate resumed its sitting at 10:15.

Journal of February 13th was taken up, corrected and approved.

Journal of February 14th was taken up, corrected and approved.

REPORTS OF COMMITTEES.

Senator Hilsinger, from the committee on Board of Control and its Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 180, a bill for an act to amend the law as it appears in section 2727-a-64 of the Supplement to the Code, 1907, entitled "Removal of patients from county asylum," beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 159, a bill for an act to prohibit marriages of persons committed to the industrial school and absent therefrom on parole or without authority and to provide punishment for violation of the act, beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 75, a bill for an act to repeal chapter one hundred sixty-six (166) of the acts of the Thirty-third General Assembly and to enact a substitute therefor relating to payments for their support by members of the Soldiers' Home, beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 74, a bill for an act to repeal section twenty-six hundred six (2606) of the Supplement to the Code and to enact a substitute therefor relating to admissions to the Soldiers' Home, beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Senator Francis, 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 specifying qualifications for judges of the supreme court of Iowa (additional to chapter one (1), title three (3) of the Code), beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 39, a bill for an act specifying qualifications for judges

of the district court (additional to chapter five (5), title three (3) of the Code), beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 134, a bill for an act for the relief of the grantees of G. W. Perkins, and for the purpose of having a patent issued in the name of John A. Rutter for a certain tract of land, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 147, a bill for an act to amend section three thousand six hundred fifty-six (3656) of the Code, relative to trial terms, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 148, a bill for an act to amend section three thousand one

hundred seventy-two (3172) of the Code of 1897, providing for the postponement of the hearing of an application for divorce, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Allen was called to the chair at 10:25.

On request of Senator Crist, leave of absence was granted Senator Thomas for the day.

President Pro Tem Savage resumed the chair.

Senator Cowles, of the Kimball-Goodwin contest committee, submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee upon the contest of Clemant F. Kimball vs. Mack C. Goodwin of the Nineteenth Senatorial District, having had the matter under advisement and having heard the evidence, examined and counted all of the ballots cast in said district, beg leave to report that by reason of a mistake made by the judges of the first precinct of the first ward in the city of Council Bluffs, a part of the votes cast for Clemant F. Kimball, contestant, and counted by the judges, were not carried out in the poll book, it appearing that the votes when cast were tallied on a sample ballot and the clerks of election failed to tally or copy into the returns all of the votes counted by the judges of election for said precinct for said contestant, that these votes so cast and counted for the said Clemant F. Kimball, give him a majority of seventy-four (74) votes in said district. While there are some legal questions involved in the contest, concerning which the members of the committee might disagree, the plain intention of the majority of the voters being to elect the contestant, Clemant F. Kimball, and the other matters considered in the contest having no effect upon the final result, if the votes for the first precinct of the first ward of Council Bluffs are counted as cast, your committee recommends that Clemant F. Kimball, the contestant, be declared elected as senator and be seated as senator from said district. We further recommend that the contestee be allowed the sum of one hundred dollars ($100.00) as attorney's fees.

Respectfully submitted,
LAMONTE COWLES,
F. A. HEALD,
J. F. WEBBER,
L. E. CRIST,
SHERMAN DEWOLF.

On the adoption of the report of the committee the ayes were:

Allen, Arney, Balkema, Boe, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Legel, Malmberg, McManus, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Ames, Balluff, Chase, DeWolf, Francis, Goodwin, Jewell, Larrabee, Mattes, McColl, Ream, Savage, Smith, Thomas, Webber—15.

So the report of the committee was adopted.

The president declared Clemant F. Kimball the duly elected senator from the nineteenth senatorial district.

Senator Kimball appeared before the bar of the Senate and was duly sworn and subscribed his name to the oath of office as required by law.

Senator Kimball was assigned seat No. 30, formerly occupied by Mack C. Goodwin.

On request of Senator Boe, leave of absence was granted Senator Larrabee for the day.

On request of Senator Allen, leave of absence was granted Senator Ames for the day.

On request of Senator Cowles, leave of absence was granted Senator Webber for the day.

President Pro Tem Savage called the attention of the Senate to the motion that was filed by Senator Allen for a reconsideration of the vote by which the previous question on Senate File No. 21 was ordered on the 14th.

President Pro Tem Savage then ruled that the motion of Senator Allen to reconsider was in order.

THIRD READING OF BILLS.

The Senate resumed consideration of Senate File No. 21, a bill for an act to repeal section 1869 of the supplement to the code of 1907 and to enact a substitute therefor, providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for a violation of the provisions of the law.

The motion of Senator Allen to reconsider the vote by which the previous question was ordered prevailed.

On the question, "Shall the main question be now put?" the motion was lost.

Senator Robinson moved that further consideration of the bill be postponed until 11 o'clock A. M., Tuesday, and made a special order for that time.

Carried.

On motion of Senator Robinson, Senate File No. 178, a bill for an act to repeal the law as it appears in section seven hundred eleven (711) of the code and enacting a substitute therefor relative to the powers of cities and towns in respect to prevention of fires, accidents from electrical apparatus, fire limits and the erection of structures within fire limits, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Substitute bill was read for information.

Senator Robinson moved that the substitute for the original bill be adopted.

Adopted.

Senator Robinson moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Boe, Chase, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garret, Kimball, Heald, Hilsinger, Jones, Legel, Malmberg, McColl, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Ames, Balluff, Clarkson, DeWolf, Francis, Gillette, Jewell, Larrabee, Mattes, McManus, Ream, Savage, Smith, Thomas, Webber —15.

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

On motion of Senator Garrett, House File No. 34, a bill for an act to amend section seven hundred forty-one-d (741-d) of the supplement to the code, 1907, relating to the power to erect a city hall and to purchase the ground therefor in certain 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 Garrett moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Kimball, Heald, Hilsinger, Jones, Legel, Malmberg, McColl, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Ames, Balluff, DeWolf, Francis, Jewell, Larrabee, Mattes, McManus, Ream, Savage, Smith, Thomas, Webber—13.

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

Upon request of Senator Allen, unanimous consent was given to have the following communication from the attorney general read, and asked that same appear in the Journal:

STATE OF IOWA.

DEPARTMENT OF JUSTICE.

DES MOINES.

DEAR SIR:—I am in receipt of your communication of the 11th instant, requesting an opinion on behalf of the joint committee on Retrenchment and Reform as to the right of holdover senators to receive the increased compensation as provided in section 1, chapter 1, acts of the Thirty-fourth General Assembly.

The only constitutional provision covering this question is found in section 25 of article 3 of the constitution of the state of Iowa, and only so much of said section is applicable which provides as follows: "No General Assembly shall have the power to increase the compensation of its members."

It is significant that the constitutional provision does not prohibit the increased compensation to members of the General Assembly during the time for which said members shall have been elected, yet in section 21 of article 3 of the constitution, the inhibition on a senator or representative being appointed to any civil office of profit under this state which shall have been created, or the emoluments of which shall have been increased, except such offices as may be filled by elections by the people, expressly refers to the time for which he shall have been elected.

It is clear then that the language used in section 25, viz: "That no General Assembly shall have the power to increase the compensation of its members," is capable of but two constructions: The term "its members" either refers to the members of the particular session then sitting, at which session the increase was voted, which is known as the Thirty-fourth General Assembly, or else it refers to the members of the General Assembly as a continuing legislative body; that is to say, the term "General Assembly" as used in section 25 of the constitution either refers to that particular session, or else it refers to the General Assembly of Iowa whenever in session, and would apply to the members

of the General Assembly at the time the increase was voted, or at any time thereafter, regardless of the number of times such men might be re-elected.

Under this latter interpretation, no member of the Thirty-fourth General Assembly could ever receive any increase in compensation, no matter how many terms he might be returned by his constituents. This construction is so untenable and illogical that a mere statement of the proposition is sufficient to indicate its fallacy. It follows then that the words "its members" refer to the members of the particular General Assembly at the time the increased compensation is provided.

I am therefore of the opinion that while the Thirty-fourth General Assembly could not increase the salary of any member of the Thirty-fourth General Assembly, an amendment to the law increasing the salary of the members of the General Assembly would not in any way prohibit members of succeeding General Assemblies from accepting the increase, and that a holdover senator is as much entitled to the increase in salary as members of the lower House of the Thirty-fourth General Assembly who have been re-elected and are now members of the Thirty-fifth General Assembly, and that all members of the Thirty-fifth General Assembly are entitled to the increase.

Respectfully submitted,

GEORGE COSSON,
Attorney General of Iowa.

February 14, 1913.

Hon. J. H. Allen, Chairman,

Committee on Retrenchment and Reform,

State House.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Heald, Senate File No. 249, a bill for an act to repeal section twenty-one (21), chapter seventy-two (LXXII), of the acts of the Thirty-fourth General Assembly, relating to the powers of local authorities to regulate the use of motor vehicles upon streets and highways, and enacting a substitute therefor.

Read first and second time and referred to committee on Cities and Towns.

By Senator Hilsinger, Senate File No. 250, a bill for an act to repeal sections two (2), six (6), seven)7), eight (8), eleven (11), fifteen (15), sixteen (16) and twenty-two (22), of chapter seventy-

two (72) of the acts of the Thirty-fourth General Assembly and to enact substitutes therefor relating to the registration and regulation of motor vehicles.

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

Senator Allen was called to the chair at 11:30.

Senator Cowles was called to the chair at 11:35.

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. 3, a bill for an act to amend section 732 of the Supplement to the Code, 1097, in relation to library funds and transfer thereof.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 81, a bill for an act to legalize releases and satisfactions of mortgages and trust deeds.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the speaker appoints as members of the committee on the part of the House to extend the invitation to Secretary Wilson, Scholz of Clayton and Townsend of Tama.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

Concurrent resolution relative to the appointment of a joint committee to extend an invitation to Secretary Wilson.

Passed on file.

House File No. 3, a bill for an act to amend section 732 of the supplement to the code 1907 in relation to library funds and transfer thereof.

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

Substitute for Senate File No. 81, a bill for an act to legalize releases and satisfactions of mortgages and deeds of trust.

Passed on file.

Senator Chase called up for consideration the concurrent resolution offered by him, relative to the issuance of free passes to the Iowa State Fair.

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

I move to amend by adding the following: "We also urge especially that the state board of agriculture discontinue the habit of issuing hundreds of free tickets to the Des Moines newspapers and the payment of large sums in cash to the publishers thereof."

Senator Schrup moved that the resolution and amendment be referred to the committee on Retrenchment and Reform.

On the motion of Senator Schrup, a roll call was demanded.

Those favoring the motion were:

Balkema, Darrah, Doran, Farr, Fellows, Heald, Hilsinger, Jones, Legel, Malmberg, Nye, Perkins, Schrup, White, Wilson of Appanoose, Wilson of Clinton—16.

The nays were:

Allen, Arney, Boe, Chase, Clarkson, Crist, Dunnegan, Garrett, Kimball, McColl, Neal, Quigley, Robinson, Sheean, Sullivan, Taylor—17.

Absent or not voting:

Ames, Balluff, Cowles, Crow, DeWolf, Francis, Jewell, Larrabee, Mattes, McManus, Ream, Savage, Smith, Spaulding, Thomas, Webber—16.

So the motion was lost.

Senator Heald moved that the further consideration of the concurrent resolution and amendment be postponed until 11 o'clock Monday, and that it be made a special order for that time.

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 insists on its amendments to Senate File No. 4 and asks for a conference committee and the speaker appoints as such committee on the part of the House: Representatives LeRoy of Delaware, Whitney of Woodbury, Klay of Sioux, Stutt of Jones.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Perkins, Senate File No. 251, a bill for an act to amend the law as it appears in section two hundred and twenty-seven (227) of the code of Iowa, relative to judicial districts and the number of judges therein, and to provide for three judges in the tenth judicial district and for the appointment of the extra judge herein provided for.

Read first and second time and referred to committee on Judicial Districts.

HOUSE MESSAGE CONSIDERED.

House insists on its amendments to Senate File No. 4 and asks for a conference committee and the speaker appoints as such committee on the part of the House, Representatives LeRoy of Delaware, Whitney of Woodbury, Klay of Sioux, Stutt of Jones.

Substitute for Senate File No. 4, a bill for an act relating to bonded indebtedness of school corporations and providing for the payment thereof, and repealing section twenty-eight hundred thirteen (2813) of the supplement to the code, 1907, and all other acts or parts of acts in conflict with this act.

Passed on file.

Senator Perkins moved that Senate do now adjourn until 10 o'clock A. M., Monday.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 17, 1913.

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

Prayer was offered by Rev. Jas. A. Burns of Albia, Iowa.

PETITIONS AND MEMORIALS.

Senator Wilson of Clinton presented a petition of teachers of Clinton county urging the passage of House File No. 161, known as "the state annuity fund" bill.

Referred to committee on Schools.

Senator Robinson presented a petition of citizens of Mason City, Iowa, urging passage of Senate File No. 192, requiring all locomotives to be equipped with headlights.

Referred to committee on Railroads.

Senator McColl presented a petition of citizens of Washington county, Iowa, asking for the defeat of House File No. 130, in regard to abolishing office of school treasurer.

Referred to committee on Schools.

Senator Boe presented a petition of citizens throughout Iowa relative to school laws.

Referred to committee on Schools.

Senator White presented a petition of voters of Johnson county protesting against passage of House File No. 130.

Referred to committee on Schools.

Senator Doran presented a petition of citizens of Boone county asking the enactment of the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Neal, Senate File No. 252, a bill for an act to amend the law as it appears in sections eighty-six (86), ninety-eight (98), one hundred and fifteen (115) and two hundred and eleven (211) of the code, and sections twenty-six hundred and twenty-seven (2627) and two hundred and five (205), supplement to the code, 1907, relating to the compensation of the secretary of state, the auditor of state, the treasurer of state, the attorney general, the superintendent of public instruction and the clerk of the supreme court.

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

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. 165, a bill for an act to amend the law as it appears in chapter 78, acts of the Thirty-third General Assembly, relating to removal of officers for misfeasance, malfeasance or nonfeasance in office.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted report of Conference committee and Substitute Concurrent Resolution, in which the concurrence of the House was asked, relative to furnishing copies of the Code and Supplement thereto and subsequent session laws and annotations to the representatives of the press for use during session of the Thirty-fifth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Robinson, Senate File No. 253, a bill for an act to amend the law as it appears in section three (3), chapter one hundred seventy-four (174), laws of the Thirty-fourth (34th) General Assembly, relating to the misbranding of foods.

Read first and second time and referred to committee on Food and Dairy.

By Senator Jones, Senate File No. 254, a bill for an act to repeal section six hundred ninety-one (691) of the code, relating to the jurisdiction in actions for the violation of city ordinances and to enact a substitute therefor.

Read first and second time and referred to committee on Cities and Towns.

By Senator Webber, Senate File No. 255, a bill for an act to amend section 887 of chapter II of title V of the code, relating to the levy of a tax by a city or town for the purpose of defraying its general and incidental expenses and fixing the limit thereof.

Read first and second time and referred to committee on Cities and Towns.

By Senator Sullivan, Senate File No. 256, a bill for an act to confer additional powers upon certain cities organized under chapter forty-eight (48) of the Thirty-second General Assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the supplement to the code 1907, providing for the levy and collection of a special tax for the benefit of the police division or department of the department of public safety.

Read first and second time and referred to committee on Cities and Towns.

HOUSE MESSAGES CONSIDERED.

House File No. 165, a bill for an act to amend the law as it appears in chapter seventy-eight (78) acts of the Thirty-third (33d) General Assembly, as amended by chapter sixty (60) acts of the Thirty-fourth (34th) General Assembly relating to the removal of officers for misfeasance, malfeasance or nonfeasance in office.

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

House concurrent resolution relative to furnishing copies of the code and supplement thereto and subsequent session laws and annotations to the representatives of press for use during the session of the Thirty-fifth General Assembly.

Passed on file.

On request of Senator Spaulding, leave of absence was granted Senator Mattes for the day.

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

On request of Senator Heald, leave of absence was granted Senator Hilsinger for the day.

On request of Senator Arney, leave of absence was granted Senator Malmberg for the day.

On request of Senator Smith, leave of absence was granted Senator Savage for the morning.

REPORTS OF COMMITTEE.

Senator Sullivan, 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. 179, a bill for an act authorizing cities to enact ordinances regulating the construction, alteration, enlargement or repair of buildings and structures, and to provide for the enforcement thereof, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Judiciary.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was referred to the committee on Judiciary.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 197, a bill for an act to amend title five, chapter

six, with reference to the levy and collection of special taxes for sidewalks and other street improvements, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Judiciary.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was referred to the committee on Judiciary.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 99, a bill for an act amending section seven hundred ninety-two (792) of the Code of 1897, relating to street improvements, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Spaulding, House File No. 135, a bill for an act to amend the law as it appears in chapter sixty-four (64), acts of the Thirty-third General Assembly relating to the government of certain cities, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Substitute bill was read for information.

Senator Webber moved that further consideration of the bill be postponed and that the bill be made a special order for Friday morning at 11 o'clock.

Carried.

On motion of Senator Perkins, Senate File No. 159, a bill for an act to prohibit marriages of persons committed to the industrial school and absent therefrom on parole or without au-

thority to provide punishment for violation of the act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Perkins 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 ayes were:

Allen, Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Crow, Darrah, Dunnegan, Farr, Fellows, Garrett, Gillette, Kimball, Heald, Jones, Larrabee, Legel, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber, Wilson of Clinton—34.

The nays were:

Doran—1.

Absent or not voting:

Ames, Boe, Crist, DeWolf, Francis, Hilsinger, Jewell, Malmberg, Mattes, McManus, Savage, Thomas, White, Wilson of Appanoose—14.

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

On motion of Senator Arney, Senate File No. 75, a bill for an act to repeal chapter one hundred sixty-six (166) of the acts of the Thirty-third General Assembly and to enact a substitute therefor relating to payments for their support by members of the Soldiers' Home, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Arney moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balkema, Balluff, Boe, Chase, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Kimball, Heald, Jones, Larrabee, Legel, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose—35.

The nays were:

None.

Absent or not voting:

Allen, Ames, Clarkson, Cowles, Crist, Francis, Hilsinger, Jewell, Malmberg, Mattes, Savage, Thomas, Webber, Wilson of Clinton—14.

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

On motion of Senator Arney, Senate File No. 74, a bill for an act to repeal section twenty-six hundred six (2606) of the supplement to the code and to enact a substitute therefor relating to admissions to the Soldiers' Home, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Arney moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garret, Gillette, Kimball, Heald, Jones, Larrabee, Legel, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Ames, Crist, Francis, Hilsinger, Jewell, Malmberg, Mattes, Perkins, Savage, Schrup, Thomas, Webber, White—13.

Senator Arney moved that the title of Senate File No. 74 be amended by inserting the figures "1907" following the word "code" and before the word "and" in the second line.

Adopted.

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

On motion of Senator Darrah, Senate File No. 134, a bill for an act for the relief of the grantees of G. W. Perkins, and for the purpose of having a patent issued in the name of John A. Rutter 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 Darrah moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Kimball, Heald, Jones, Larrabee, Legel, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Ames, Chase, Crist, Francis, Hilsinger, Jewell, Malmberg, Mattes, Savage, Webber—10.

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

On motion of Senator Sullivan, Senate File No. 99, a bill for an act amending section seven hundred ninety-two (792) of the code of 1897 relating to street improvements, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Sullivan moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Kimball, Jones, Larrabee, Legel, McColl, McManus, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Ames, Chase, Crist, DeWolf, Francis, Heald, Hilsinger, Jewell, Malmberg, Mattes, Neal, Savage—12.

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

The president announced that as president of the Senate, he had signed in the presence of the Senate, House Files Nos. 48 and 127.

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 requests the recall of House File No. 165, a bill for an act to amend chapter 78, acts of the Thirty-third General Assembly, relating to the removal of officers.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 repeal section 3705 of the Code and to enact a substitute therefor relative to instructions of the district court.

A. C. GUSTAFSON,
Chief Clerk.

CONSIDERATION OF BILLS.

The time having arrived for special order, the Senate took up for consideration concurrent resolution relative to free passes to the Iowa State Fair.

Senator Doran offered the following substitute for the resolution, and moved its adoption:

I move to amend by substituting for the resolution and amendments the following, after the word "that" in the first line of the resolution, "the practice of issuing free passes and free tickets to the state fair be abolished, except to the necessary officers and employees of the fair, the exhibitors who have to care for thir exhibits, their needed help, and all old soldiers of the war of the rebellion".

On the adoption of the substitute resolution a roll call was demanded.

Those voting aye were:

Doran—1.

The nays were:

Allen, Balluff, Chase, Cowles, Crist, Crow, DeWolf, Dunnegan, Fellows, Garrett, Gillette, Kimball, Heald, Jones, Larrabee, Legel, McColl, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—32.

Absent or not voting:

Ames, Arney, Balkema, Boe, Clarkson, Darrah, Farr, Francis, Hilsinger, Jewell, Malmberg, Mattes, McManus, Perkins, Savage, Spaulding—16.

Lost.

The amendment offered by Senator Doran on Saturday was lost.

Senator Smith offered the following amendment to the original resolution, and moved its adoption:

Strike out all after the word "laws" in the third line and insert the following: "In all cases where a charge is made to the general public for admission, there shall be no discrimination, no free admission except to the officers and employes of the fair for their personal use, the governor of this and other states, officers of other state fairs, old soldiers, on any special days that may be set aside for old soldiers, and children on any special days for children, and children under six years of age."

Senator White moved that the amendment offered by Senator Smith be laid on the table.

On the motion to lay on the table, a roll call was demanded.

Those favoring the motion were:

None.

The nays were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Kimball, Heald, Jones, Larrabee, Legel, Neal, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—34.

Absent or not voting:

Ames, Cowles, Crist, DeWolf, Francis, Hilsinger, Jewell, Malmberg, Mattes, McColl, McManus, Quigley, Savage, Spaulding, White—15.

So the motion was lost.

On the amendment offered by Senator Smith, a roll call was demanded.

Those favoring the amendment were:

Allen, Arney, Boe, Kimball, Smith, White, Wilson of Clinton—7.

The nays were:

Balkema, Balluff, Chase, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Heald, Jones, Larrabee, Legel, McColl, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose—30.

Absent or not voting:

Ames, Clarkson, DeWolf, Farr, Francis, Hilsinger, Jewell, Malmberg, Mattes, McManus, Perkins, Savage—12.

So the amendment was lost.

Senator Neal offered the following amendment and moved its adoption:

Amend by striking out the period after the word "discontinued" and adding the words, "provided this shall not apply to passes and special favors to veterans of the civil war".

Adopted.

Senator Taylor offered the following substitute for the resolution, and moved its adoption:

Be it resolved by the Senate, the House concurring, that the practice of issuing free passes to members of the state legislature be discontinued.

Lost.

Senator Thomas moved that the pending resolution be referred to the committee on Agriculture.

Motion lost.

On the adoption of the original resolution as amended, a roll call was demanded.

Those favoring the adoption of the resolution were:

Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Larrabee, Legel, McColl, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Sullivan, Webber—26.

The nays were:

Cowles, Gillette, Kimball, Taylor, White, Wilson of Clinton—6.

Absent or not voting:

Allen, Ames, DeWolf, Francis, Heald, Hilsinger, Jewell, Jones, Malmberg, Mattes, McManus, Perkins, Savage, Smith, Spaulding, Thomas, Wilson of Appanoose—17.

So the resolution was adopted.

Journal of February 15th was taken up, corrected and approved.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Balluff, by request, Senate File No. 257, a bill for an act to repeal chapter twenty-six (26) of the acts of the Thirty-third (33) General Assembly and to enact a substitute therefor relating to the establishment and maintenance of hospitals by counties.

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

By Senator Sullivan, Senate File No. 258, a bill for an act authorizing cities and towns to license, regulate, prevent or prohibit the erection, maintenance or display of sign boards, bill boards and offensive advertisements and advertising matter, and repealing section seven hundred-b (700-b) of the supplement to the code, 1907.

Read first and second time and referred to committee on Cities and Towns.

By Senator Jones, Senate File No. 259, a bill for an act to repeal section 2308-a of the supplement to the code, 1907, and to enact a substitute therefor relating to the payment of costs and expenses of non-resident insane patients.

Read first and second time and referred to committee on Board of Control and its Institutions.

By Senator Jones, Senate File No. 260, a bill for an act to amend section two thousand and eighty-five (2085) of the supplement to the code, 1907, relating to taxes in aid of railroads and in relation to the number of signatures of resident free holders to petitions therefor in cities acting under special charter, and cities having a population of twenty-five thousand (25,000) or over.

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

By committee on Retrenchment and Reform, Senate File No. 261, a bill for an act repealing section one hundred and seventy-d (170-d) of the supplement to the code, 1907, and to enact a substitute in lieu thereof requiring all boards, commissions, departments, and officers of state to turn into the state treasury all fees collected.

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

By Senator Thomas, Senate File No. 262, a bill for an act to amend section two thousand seventeen (2017) of the code, relating to the right of railway companies to raise or lower highways where they are crossed by a railway, and giving the board of railroad commissioners authority to order under-grade or overhead crossings.

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

By Senator Perkins, Senate File No. 263, a bill for an act to empower private cemetery associations to condemn land for additions to their cemeteries.

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

HOUSE MESSAGES CONSIDERED.

House File No. 158, a bill for an act to repeal section three thousand seven hundred and five (3705) of the code and to enact a substitute in lieu thereof relative to the instructions of the district court.

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

House File No. 165, a bill for an act to amend the law as it appears in chapter seventy-eight (78) acts of the Thirty-third (33) General Assembly, as amended by chapter sixty (60) acts of the Thirty-fourth (34th) General Assembly, relating to the removal of officers for misfeasance, malfeasance or nonfeasance in office.

Senator Clarkson moved that the request of the House be granted.

Carried.

Senator Robinson asked unanimous consent of the Senate to withdraw Senate File No. 143 from the committee on Food and Dairy, and from further consideration by the Senate.

Consent granted.

Senator DeWolf, from the committee on Food and Dairy, returned to the Senate, Senate File No. 143.

President Harding announced as conference committee on the part of the Senate, on Senate File No. 4, Senators Clarkson, Balkema, Thomas and Kimball.

Senator White moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 18, 1913.

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

Prayer was offered by Rev. H. L. Wissler, Grinnell, Iowa.

President Harding announced that he had named Senator Kimball as a member of the following standing committees: Cities and Towns, Ways and Means, Elections, Judiciary, Educational Institutions, Public Libraries, Horticulture and Forestry, Railroads and Manufactures.

President Harding also announced that he would name Senator Hagemen, newly elected senator from the thirty-ninth senatorial district, as member of the following standing committees: Judiciary, Railroads, Telegraph and Telephones, Commerce and Trade, Compensation of Public Officers, Food and Dairy, Mines and Mining, Senatorial and Representative Districts, and Suppression of Intemperance.

President Harding announced that as Senator Mattes was ranking member on the committee on Suppression of Intemperance, he had named Senator Mattes, chairman of that committee, to succeed the late Senator Gates.

PETITIONS AND MEMORIALS.

Senator Doran presented two petitions, one from the tax payers and voters of the independent school district of Victoria of Garden township, Boone county, and one from the members of the Good Roads Club of Boone county, both opposing the passage of House File No. 130 abolishing the office of township school treasurer.

Referred to committee on Schools.

Senator Neal presented a petition of citizens of Washington county protesting against the passage of Senate File No. 102.

Referred to committee on Railroads.

Senator Smith presented a petition of citizens of Anita, Iowa, urging the passage of House File No. 364.

Referred to committee on Pharmacy.

Senator Gillette presented a petition of members of the Farmers' Telephone Company relating to the power of cities and towns to grant a franchise, special privilege or monopoly of its streets for telephone purposes.

Referred to committee on Cities and Towns.

Senator Sullivan presented a petition of citizens of District No. 6, Polk county, opposing the passage of House File No. 130.

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 has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 189, a bill for an act to legalize the acts and proceedings of the incorporated town of Aurelia, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 162, a bill for an act to legalize a special election held in the town of Calmar, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 177, a bill for an act to legalize certain warrants of the city of Marshalltown, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 100, a bill for an act to legalize a certain election of the city of Des Moines, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 relative to the transfer to city of Burlington, Iowa, the title, use and control of Otter Island.

A. C. GUSTAFSON,
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. 35, a bill for an act to legalize a certain election held in the town of Jewell Junction, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Crist presented a petition of citizens of Hopeville school, District No. 9, opposing passage of House File No. 130.

Referred to committee on Schools.

Senator Crist presented a petition of citizens of Andrew, Iowa, urging passage of "Powers Bill," limiting the operations of saloons between the hours of 7 A. M. and 7 P. M.

Referred to committee on Suppression of Intemperance.

Senator Taylor presented a petition of citizens of Van Buren county opposing passage of House File No. 130.

Referred to committee on Schools.

Senator McColl presented a petition of citizens of Adel, Iowa, urging passage of House File No. 364.

Referred to committee on Pharmacy.

Senator McColl presented a petition of citizens of Adel, Iowa, requesting passage of a law to secure protection by insurance against liabilities for damages on account of personal injuries or damage to property resulting from accident caused by reason of the maintenance, use or operation of automobiles.

Referred to committee on Insurance.

Senator Perkins presented a petition of citizens of Buchanan county, Iowa, opposing passage of House File No. 130.

Referred to committee on Schools.

Senator Thomas presented a petition of citizens of Ringgold county asking that every patron of rural schools have the right to vote as to whether or not they pay tuition in high schools.

Referred to committee on Schools.

Senator Nye presented a petition of members of the Iowa veterans asking the passage of Senate File No. 229.

Referred to committee on Military.

Senator Robinson presented a petition of members of the Cerro Gordo Gun Club protesting against the passage of a law prohibiting the use of automatic shot guns.

Referred to committee on Fish and Game.

Senator Dunnegan presented a petition of citizens of Blanchard, Iowa, opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Wilson of Clinton presented a petition of citizens of Clinton county urging the passage of Senate File No. 172.

Referred to committee on Appropriations.

Senator Wilson of Appanoose presented a petition of citizens of Appanoose county asking the passage of Senate File No. 3.

Referred to committee on Judiciary.

Senator Taylor presented a petition of citizens of Van Buren county urging the passage of a bill that will secure protection by insurance against liabilities for damages on account of personal injuries or damage to property resulting from accident caused by reason of maintenance, use or operation of automobiles.

Referred to committee on Insurance.

Senator Larrabee presented a petition of citizens of Webster county, Iowa, urging passage of Senate File No. 172.

Referred to committee on Appropriations.

Senator Ames presented a petition of citizens of Perry, Iowa, opposing House File No. 130.

Referred to committee on Schools.

Senator Larrabee presented a petition of citizens of Webster county, Iowa, urging passage of House File No. 364.

Referred to committee on Pharmacy.

Senator Larrabee presented a petition of citizens of Fort Dodge, Iowa, urging passage of House File No. 161.

Referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Webber, Senate File No. 264, a bill for an act to repeal section 1872 of the code and section 1873 of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor, relating to the statements of state and savings banks and to the examination of such banks by the auditor and to the publication of the statements thereof in some newspaper.

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

By Senator McColl, Senate File No. 265, a bill for an act providing for the deposit by state and savings banks with the treasurer of the United States, of securities to secure postal savings deposits made in such banks under the provisions of the postal savings bank act.

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

By Senator Spaulding, Senate File No. 266, a bill for an act to amend the law as it appears in section seven hundred forty-one-o (741-o) supplement to the code, 1907, relating to the election of city hospital trustees.

Read first and second time and referred to committee on Cities and Towns.

By Senator White, Senate File No. 267, a bill for an act to amend section two thousand seventy-seven-a (2077-a) of the supplement to the code, 1907, relating to the posting of bulletins at railway stations.

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

By Senator Boe, Senate File No. 268, a bill for an act to prohibit the distribution of campaign literature on primary or election days, and fixing the penalty for a violation of this act.

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

By Senator Balkema, Senate File No. 269, a bill for an act to regulate the hours of engineers and firemen operating stationary boilers and engines.

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

The president announced that as president of the Senate, in the presence of the Senate, he had signed House Files Nos. 22, 36, 42, 44, 53.

HOUSE MESSAGES CONSIDERED.

House File No. 189, a bill for an act legalizing and curing the acts and proceedings of the incorporated town of Aurelia and the town council of the said incorporated town, in the county of Cherokee and state of Iowa, in relation to the establishment, erection, maintenance and operation of a system of water works and a gas plant and the issuance of bonds and warrants of said town in payment thereof, and authorizing the town council of said town to issue bonds for the purpose of taking up its floating indebtedness represented by its bonds and warrants.

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

House File No. 162, a bill for an act to legalize the special election held in the town of Calmar, Iowa, on the 16th day of October, 1911, wherein there was submitted to the voters of said town the question of issuing bonds in the sum of five thousand dollars ($5,000.00) for the purpose of erecting a system of gas works and to validate and legalize the bonds issued in pursuance of said election.

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

House File No. 177, a bill for an act to legalize certain acts of the mayor and city council of the city of Marshalltown, and to legalize certain warrants of the said city of Marshalltown, Iowa.

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

Senate File No. 100, a bill for an act to legalize the election of the city of Des Moines, Iowa, held on the 26th day of March, 1906,

in favor of providing flood protection, as well as to legalize all acts done and resolutions passed and contracts entered into by the city council of the city of Des Moines for the improvement of the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high water.

Passed on file.

Senate File No. 29, a bill for an act to transfer to the city of Burlington, Iowa, the title, use and control of a certain island in the Mississippi river near the city of Burlington, Iowa, known as Otter Island.

Passed on file.

Senate File No. 35, a bill for an act to legalize a certain election held in the town of Jewell Junction, Iowa.

House amendment: Amend title by striking out of the second line thereof reading: "The town of Jewell Junction."

Passed on file.

REPORTS OF COMMITTEES.

Senator Darrah, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 31, a bill for an act to amend the law relating to primary elections as it appears in sections ten hundred eighty-seven-a-four (1087-a-4), ten hundred eighty-seven-a-seven (1087-a-7), ten hundred eighty-seven-a-ten (1087-a-10), ten hundred eighty-seven-a-nineteen (1087-a-19), and ten hundred eighty-seven-a-twenty-two (1087-a-22), as amended by chapter sixty-nine (69) of the acts of the Thirty-third (33) General Assembly, and chapter fifty-eight (58) of the acts of the Thirty-fourth (34) General Assembly, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN H. DARRAH,
Chairman.

Senator Darrah moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 111, a bill for an act providing for an expression of opinion on the question of suffrage at the next general election, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT Providing for an Expression of Opinion on the Question of Suffrage at the Next General Election.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. All women qualified to vote as defined by the school laws of this state, shall, at the next state election, have an opportunity to express their opinion by voting "yes" or "no" on a separate ballot for women only, in answer to the following question:

"Is it expedient that suffrage be granted to women in this state?"

SEC. 2. The auditors of the several counties in the state shall, prior to such election, cause to be printed on a special ballot for women only, the following words:

"Is it expedient that suffrage be granted to women?" Yes..... No.....

And said ballots shall be distributed and furnished to women voters only as the general election law provides, and these ballots shall be returned separately in the same manner as provided for general elections; and when so amended the bill do pass.

JOHN H. DARRAH,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 117, a bill for an act to amend section 1087-a-4 of the Supplement to the Code, 1907, as amended by section 1 of chapter 58, acts of the Twenty-fourth General Assembly, in relation to the time of holding primary elections, and section 1087-a-19, relating to canvass by board of supervisors, and section 1087-a-25, relating to holding of county convention, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT to Amend Section 1087-a-4 of the Supplement to the Code of 1907, as Amended by Section 1 of Chapter 58, Acts of the Thirty-fourth General Assembly, in Relation to the Time of Holding Primary Elections, and Section 1087-a-19, Relating to Canvass by Board of Supervisors, and Section 1087-a-25, Relating to Holding of County Convention.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1087-a-4 of the Supplement to the Code of 1907, as amended by section 1 of chapter 58 of the acts of the Thirty-fourth General Assembly, be and the same is hereby amended as follows:

By striking out the words "first Monday in the year nineteen hundred twelve" and inserting in lieu thereof the following: "the second Monday in September in the year nineteen hundred fourteen".

SEC. 2. That section 1087-a-19 of the Supplement to the Code of 1907, be amended as follows:

By striking out the word "June" in the second line of said section and inserting in lieu thereof the word "September".

SEC. 3. That section 1087-a-25 of the Supplement to the Code of 1907, as amended by chapter 69 of the acts of the Thirty-third General Assembly be amended as follows:

By striking out the word "fourth" in the fifth line of said section and inserting in lieu thereof the word "second"; and when so amended the bill do pass.

JOHN H. DARRAH,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Savage, from the committee on Public Schools, submitted the following report:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 70, a bill for an act to establish a Department of Public Instruction, and to amend section ten hundred and sixty-five (1065) of the Supplement to the Code, 1907, and to repeal chapter one (1) of title thirteen (13) of the Code, and to repeal chapter one (1) of title thirteen (13) of the Supplement to the Code, 1907, as amended, relative to the office of Superintendent of Public Instruction, and to enact a substitute therefor, and to make the Superintendent of Public Instruction, ex-officio, a member of the State Board of Education, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend the title by striking out the "," (comma) and all after the word "therefor" in line seven and insert a "." (period) after the word "therefor".

Amend section 3 by inserting after the "," (comma) in line five the words "or Board of Control of State Institutions,".

Amend sub-division 3 of section 3 by inserting after the word "of" in second line the words "education, including", and strike out the word "including" in the third line.

Amend sub-division 9 of section 3 by striking out the words "but not oftener than once every four years," in the first and second lines.

Amend section 3 by striking out all of sub-division 10 and by renumbering sub-divisions 11 and 12 as 10 and 11, respectively.

Amend section 7 by inserting after the word "shall" in the first line the words "have qualifications specified in section 2 and shall"; and, strike out the words "his duties" in line 3 of said section 7 and insert in lieu thereof the words "the duties of the office".

Amend section 8 by striking out the words and figures "four thousand ($4,000.00)„ in line 3 and insert in lieu thereof the words and figures "five thousand ($5,000.00)".

Amend section 9 by inserting the word "and" before the words "attorney general" in line 3 and insert the word "and" before the word "superintendent" in line 5.

Amend by striking out section 10; and when so amended the bill do pass, after reference to the Appropriation committee.

A. C. SAVAGE,
Chairman.

Senator Savage moved the adoption of the report of the committee.

Carried.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 79, a bill for an act to amend section twenty-eight hundred twenty-three-a and section twenty-eight hundred twenty-three-i, Supplement to the Code, 1907, relative to the attendance of children of a certain age in public schools, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the substitute hereto attached:

A BILL FOR AN ACT to Amend the Law as it Appears in Sections Twenty-eight Hundred Twenty-three-a (2823-a) and Twenty-eight Hundred Twenty-three-i (2823-i), Supplement to the Code, 1907, Relative to the Attendance of Children of a Certain Age in Public Schools.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section twenty-eight hundred twenty-three-a (2823-a), Supplement to the Code, 1907, be and is amended by striking from line two (2) the word and figures "fourteen (14)" and inserting in lieu thereof the word and figures "sixteen (16)", and that there be inserted between the comma and the word "or" in the fourteenth line of said section the following: "or who is over the age of fourteen (14) and is regularly employed or has educational qualifications equal to eighth grade pupils."

SEC. 2. That section twenty-eight hundred twenty-three-i (2823-i) be and is hereby amended by striking out the word and figures "fourteen (14)" in the third line and inserting in lieu thereof the word and figures "sixteen (16)"; and when so amended the bill do pass.

A. C. SAVAGE,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Boe, from the committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your committee on Public Libraries, to whom was referred Senate File No. 105, a bill for an act to create a law and legislative reference department of the state library; providing for a director and subordinate officers and employes thereof; prescribing the duties and fixing the salaries thereof and making an additional appropriation therefor, beg leave to report they have had the same under consideraton and recommend the same be amended as follows:

That the words "compile and arrange" in line two (2) of section four (4) be stricken out, and the words "arrange, and catalog" be inserted between the words "collect" and "information" in the same line and section; that the word "digests" and the words "reports and data" be stricken out of line five (5) of section four (4), and that the words "catalogs, and indexes" be inserted between the words "syllabi" and "upon" in the same line and section; that the word "investigate" in line seven (7) of section four (4) be stricken out and the word "obtain" be inserted in lieu thereof; that the word "digests" be stricken out of line thirteen

(13) of section four (4), and the word "catalogs" be inserted in lieu thereof; that the word "expert" be stricken out of line six (6) of section eight (8); and when so amended the bill do pass.

L. W. BOE,
Chairman.

Senator Boe moved that the bill be referred to committee on Appropriations.

Carried.

So the bill was referred to committee on Appropriations.

THIRD READING OF BILLS.

On motion of Senator Hilsinger, Senate File No. 127, a bill for an act to amend the law as it appears in section twenty-seven hundred and fifty-four (1754) of the supplement to the code, 1907, relating to the election of officers in independent school districts in towns and cities, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Hilsinger moved the adoption of the following amendments:

That the word "seven" be substituted for the word "five" in line seven (7) of section one (1). That the words "and a blank line for each such officer to be elected" be added after the word "provided" in line fourteen (14) of section one (1). That the words "and each blank line" be added after the word "name" in line fourteen (14) of section one (1).

Senator Hilsinger moved that the bill be amended by striking out the publication clause.

Carried.

The bill as amended was read for information.

Senator Hilsinger moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Gillette, Kimball, Heald, Hilsinger, Jones, Larrabee, Legel, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose—41.

The nays were:

DeWolf—1.

Absent or not voting:

Arney, Francis, Garrett, Jewell, Malmberg, White, Wilson of Clinton—7.

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

On motion of Senator Robinson, Senate File No. 180, a bill for an act to amend the law as it appears in section 2727-a-64 of the supplement to the code, 1907, entitled "removal of patients from county asylum", with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Robinson moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Kimball, Hilsinger, Jones, Larrabee, Legel, Mattes, McColl, McManus, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

Arney, Francis, Heald, Jewell, Malmberg, Neal, White—7.

Senator Robinson moved that the title of Senate File No. 180 be amended to read as follows:

A BILL FOR AN ACT to Amend the law as it appears in section 2727-a-64 of the Supplement to the Code, 1907, Relating to "Removal of Patients from County Asylum" and Providing for the Expense Thereof.

Adopted.

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

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 amend section nine hundred thirty-seven of the Code, relating to the filling of vacancies in the office of alderman in cities under special charters.

Also:

Senate File No. 81, a bill for an act to legalize releases and satisfactions of mortgages and trust deeds.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House File No. 44, a bill for an act to amend section six hundred sixteen (616) of the

Code, relative to taxation of unplatted lands within the limits of cities and towns.

Also:

House File No. 53, a bill for an act to repeal paragraph sixteen (16) of section five hundred eleven (511) of the Supplement to the Code, 1907, as amended by chapter thirty-six (36) of the acts of the Thirty-third General Assembly and to enact a substitute therefor relating to the boarding and lodging of prisoners.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

Also:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House File No. 22, a bill for an act to repeal section three thousand one hundred sixty-five (3165) of the Code and to enact a substitute in lieu thereof, relating to liability for family expenses.

Also:

House File No. 36, a bill for an act to amend section eight hundred fifty-a (850-a) of the Supplement to the Code, 1907, relating to the election of park commissioners, and providing for the appointment of park commissioners until the next regular municipal election.

Also:

House File No. 42, a bill for an act to amend the law as it appears in section 850-c of the Supplement to the Code, 1907, as amended by chapters 56 and 57 of the acts of the Thirty-third General Assembly, and chapter 44 of the acts of the Thirty-fourth General Assembly, relating to the tax levy for park purposes.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

Senator Clarkson called up for consideration House concurrent resolution relative to adjournment from February 26th to March 4th, and moved that Senate concur in House concurrent resolution.

Carried.

Journal of February 17th was taken up, corrected and approved.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Kimball, Senate File No. 270, a bill for an act to amend sections thirteen hundred thirty-four (1334), thirteen hundred thirty-four-a (1334-a), thirteen hundred thirty-seven (1337) of the supplement to the code, 1907, and to repeal section thirteen hundred thirty-eight (1338) of the code; and to enact a substitute therefor and all relating to the assessment and taxation of railways and to requirements of railway companies and duties of officers in connection therewith.

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

By Senator Allen, Senate File No. 271, a bill for an act to declare certain diseases contagious and infectious, and to provide rules and regulations for the control of the same, and to fix punishment for violation thereof.

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

By Senator Chase, Senate File No. 272, a bill for an act to amend section one thousand six hundred fifty-seven-d (1657-d) and section one thousand six hundred fifty-seven-e (1657-e) of the supplement of the code of Iowa, 1907, relative to the election of district directors of the state board of agriculture.

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

REPORTS OF COMMITTEE.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 33, a bill for an act to amend the law as it appears in section 1989-a-12, Supplement to the Code, 1907, as amended by chapter 118, acts of the Thirty-third General Assembly, and chapter 87, acts of the Thirty-fourth General Assembly, relating to the assessment of costs and damages in the establishment of levees, ditches, drains and water courses, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 261, a bill for an act repealing section one hundred and seventy-d (170-d) of the Supplement to the Code, 1907, and to enact a substitute in lieu thereof, requiring all boards, commissions, departments and officers of state to turn into the state treasury all fees collected, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

The time having arrived for the special order, the Senate took up for consideration Senate File No. 21, a bill for an act to repeal section 1869 of the supplement of the code of 1907 and to enact a substitute therefor, providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for a violation of the provisions of the law.

On the adoption of the substitute amendment offered by Senator Chase on February 14th, a roll call was demanded.

Those favoring the motion were:

Boe, Chase, Crow, Doran, Garrett, Larrabee, Neal, Sheean, Sullivan, Thomas, Wilson of Appanoose—11.

The nays were:

Allen, Ames, Balkema, Balluff, Clarkson, Cowles, Darrah, Dunnegan, Farr, Fellows, Gillette, Kimball, Hilsinger, Jones, Legel, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Smith, Spaulding, Taylor, Webber, Wilson of Clinton—28.

Absent or not voting:

Arney, Crist, DeWolf, Francis, Heald, Jewell, Malmberg, McManus, Ream, White—10.

So the substitute amendment was lost.

Senator Allen offered the following amendment as a substitute for the amendment of Senator Larrabee and moved its adoption:

I move to amend Senate File No. 21 as it appears in the printed bill, by striking out after the comma following the word "by-laws" in the fifth line, the following words and punctuations: "or by vote of the board of directors, but no director as such shall receive as compensation a greater amount than $10.00 for each day's attendance upon meetings of the board of directors".

On the adoption of the substitute amendment, a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Boe, Darrah, Doran, Farr, Fellows, Hilsinger, Jones, Mattes, Neal, Nye, Perkins, Ream, Schrup, Spaulding, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—20.

The nays were:

Balluff, Chase, Clarkson, Cowles, Crist, Crow, Dunnegan, Garrett, Gillette, Kimball, Larrabee, Legel, McManus, Quigley, Robinson, Savage, Smith, Thomas, Webber—19.

Absent or not voting:

Arney, Balkema, DeWolf, Francis, Heald, Jewell, Malmberg, McColl, Sheean, White—10.

So the substitute amendment was adopted.

On the adoption of the amendment of Senator Larrabee as amended, a roll call was demanded.

Those favoring the adoption of the amendment were:

Allen, Ames, Boe, Darrah, Doran, Farr, Fellows, Hilsinger, Jones, Mattes, Neal, Nye, Perkins, Ream, Schrup, Spaulding, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—20.

The nays were:

Balkema, Balluff, Chase, Cowles, Crist, Crow, Dunnegan, Garrett, Gillette, Kimball, Legel, McManus, Quigley, Robinson, Savage, Sheean, Smith, Thomas, Webber—19.

Absent or not voting:

Arney, Clarkson, DeWolf, Francis, Heald, Jewell, Larrabee, Malmberg, McColl, White—10.

So the amendment was adopted.

Senator Wilson 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 ayes were:

Allen, Ames, Balluff, Boe, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Kimball, Hilsinger, Jones, Legel, Mattes, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

Chase, Larrabee, McColl, Perkins, Savage—5.

Absent or not voting:

Arney, Balkema, Cowles, Francis, Heald, Jewell, Malmberg—7.

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

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the Code, relating to investment of money and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 13.

A BILL FOR AN ACT to Repeal Section Three Hundred Sixty-four (364) of the Code, Relating to Investment of Money and to Enact a Substitute Therefor.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section three hundred sixty-four (364) of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

"Where investment of funds are to be made, *including those to be made by executors, administrators, trustees and guardians*, and no mode of investment is pointed out by statute, they must be made in the stocks or bonds of this state, or of those of the United States, or upon bond or mortgage of real property of the clear, unincumbered value of twice the investment *or bonds issued by or under the direction of cities, towns, counties or school districts of this state*; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Allen, Senate File No. 273, a bill for an act repealing section 2024-i of the supplement of the code of Iowa of 1907 and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material assessable for general use for road improvement and providing punishment for use of said material for other than road purposes.

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

By Senator Allen, Senate File No. 274, a bill for an act to amend the law as it appears in section twenty-six hundred twenty-two (2622), supplement to the code, 1907, and to repeal the law as it appears in section twenty-seven hundred thirty-eight (2738), supplement to the code, 1907, as amended by chapter one hundred thirty (130), acts of the Thirty-fourth General Assembly, relating to normal institutes.

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

PETITIONS AND MEMORIALS.

Senator Thomas presented a petition of soldiers, sailors and mariners of the war of the rebellion, and citizens of Iowa, asking the general assembly to support House Joint Resolution No. 10; also House bill introduced modifying and changing code section 13, code 1897.

Referred to committee on Compensation of Public Officers.

Senator Sullivan presented a petition of members of the council of Des Moines asking that the law be amended so that all election days will fall on Monday instead of Tuesday.

Referred to committee on Elections.

Senator Savage presented a petition of citizens throughout Iowa urging the passage of the state annuity fund bill.

Referred to committee on Schools.

On request of Senator Kimball, leave of absence was granted Senator Heald for the day, after 11:30.

On request of Senator Darrah, leave of absence was granted Senator Arney for the day.

On request of Senator Larrabee, leave of absence was granted Senator Malmberg for the day.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Perkins, Senate File No. 275, a bill for an act to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act.

Read first and second time and referred to committee on Board of Control and its Institutions.

Senator Thomas moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 19, 1913.

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

Prayer was offered by Rev. T. F. Barker, Letts, Iowa.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House File No. 50, a bill for an act to amend section 5652 of the Code, relating to hard labor by persons confined in jails.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 relative to the recording of transcripts from recorder's office.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 200, a bill for an act to amend section 1 of chapter 161 relating to foreclosure of real estate mortgages.

A. C. GUSTAFSON,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Neal presented a petition of citizens of Mount Union opposing passage of House File No. 130.

Referred to committee on Schools.

Senator White presented a petition of citizens of South Amana, Iowa, opposing a permanent tax commission for Iowa.

Referred to committee on Ways and Means.

Senator Crow presented a petition of citizens of Monona county, Iowa, opposing passage of House File No. 130.

Referred to committee on Schools.

Senator Wilson of Appanoose presented a petition of citizens of Appanoose county opposing House File No. 130.

Referred to committee on Schools.

Senator Legel presented a petition of citizens of Charles City, Iowa, urging passage of House File No. 96.

Referred to committee on Agriculture.

Senator Ream presented a petition of citizens of Oskaloosa, Iowa, asking for a sufficient appropriation to fight hog cholera.

Referred to committee on Ways and Means.

Senator Ream presented a petition of citizens throughout Iowa opposing the permanent tax commission for Iowa.

Referred to committee on Agriculture.

Senator Ream presented a petition of citizens of Mahaska county asking the passage of Senate File No. 172.

Referred to committee on Appropriations.

Senator Nye presented a petition of citizens and tax payers of Sharpsburg opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Kimball presented a petition of citizens of Pottawattamie county asking the passage of House File No. 96, being an act providng for the manufacture, distribution and administration of anti-hog cholera serum.

Referred to committee on Agriculture.

Senator Kimball presented a petition of citizens of Macedonia opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Heald presented a petition of members of the Cedar Rapids Commercial Club opposing the passage of Senate File No. 102.

Referred to committee on Railroads.

Senator Thomas presented a petition of citizens of Garden Grove and Diagonal, Iowa, opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Sullivan presented a petition of citizens of Bondurant, Altoona, Mitchellville and Polk City opposing the permanent tax commission for Iowa.

Referred to committee on Ways and Means.

Senator Darrah presented a petition of citizens of Lucas county asking that there be no change in the school laws of Iowa, and also opposing the abolishment of the office of school treasurer.

Referred to committee on Schools.

Senator Chase presented a petition of the county road instruction school of Wright county opposing the macadamizing the roads of Iowa at this time.

Referred to committee on Roads and Highways.

INTRODUCTION OF BILLS.

By Senator Jones, Senate File No. 276, a bill for an act to reimburse innocent persons who have been, or may be convicted

of crime and imprisoned in the state reformatory or state penitentiary.

Read first and second time and referred to committee on Penitentiaries and Pardons.

By Senator Sullivan, Senate File No. 277, a bill for an act to authorize the use and expenditure of the sinking fund provided for in chapter five (5) of the code of 1897.

Read first and second time and referred to committee on Cities and Towns.

By Senator Quigley, Senate File No. 278, a bill for an act to amend section two (2) of chapter one hundred fifty-five (155) of the acts of the Thirty-third (33) General Assembly relative to mesh of nets and seines.

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

By Senator Kimball, Senate File No. 279, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-four (2724) of the supplement to the code 1907 and to enact a substitute therefor relating to admission to the school for the deaf and to reports by county superintendents of deaf persons.

Read first and second time and referred to committee on Board of Control and its Institutions.

HOUSE MESSAGES CONSIDERED.

House File No. 50, a bill for an act to amend section five thousand six hundred and fifty-two (5652) of the code, relating to hard labor by persons confined in jails.

Read first and second time and referred to committee on Penitentiaries and Pardons.

House File No. 200, a bill for an act to amend section one (1) of chapter 161, of the laws of the Thirty-fourth General Assembly of Iowa relating to the foreclosure of real estate mortgages.

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

House File No. 179, a bill for an act authorizing the recording of transcripts from recorder's office of instruments affecting real estate. (Additional to chapter 6, title 14, of the code relating to conveyances of real estate.)

Read first and second time and passed on file.

REPORTS OF COMMITTEES.

Senator Ames, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate File No. 114, a bill for an act to amend section 458-c, of the Supplement to the Code, 1907, and chapter 32 of the acts of the Thirty-third General Assembly, relating to the payment of claims for injuries to domestic animals, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. AMES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate File No. 175 ,a bill for an act repealing section 2348 of the Code, 1897, and enacting a substitute therefor, providing for a bounty on wild animals and the proof necessary to secure such bounty, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. AMES,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled Senate File No. 18, a bill for an act to amend section nine hundred thirty-seven of the Code, relating to the filling of vacancies in the office of alderman in cities under special charters.

Also:

Senate File No. 81, a bill for an act to legalize releases and satisfactions of mortgages and trust deeds.

JOHN H. TAYLOR,
Chairman Senate Committee.
W. W. ANDERSON,
Chairman House Committee.

Adopted.

Senator Chase, from the committee on Corporations, submitted the following report:

MR. PRESIDENT—Your committee on Corporations, to whom was referred Senate File No. 57, a bill for an act to authorize the location, use and construction of lines for the transmission of electric current or energy and the erection of the poles, wires, insulators, towers and other necessary construction therefor and the procuring of and making compensation for the right of way for said transmission line, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT to Confer Power Upon the District Court of Any County to Issue a Permit to Any Individual or Corporation Organized Under the Laws of Iowa, Engaged in the Manufacture or Sale of Electric Current to Construct Transmission Lines and Obtain the Necessary Interests in Real Estate Therefor and the Manner of Making Compensation to Said Owners of Said Lands for Said Rights.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. The district court of any county may, upon written petition filed in the office of the district court of said county, grant to any individual or corporation organized under the laws of Iowa engaged in the manufacture or sale of electric current for light, power or heating purposes, the right within said county, except in cities and incorporated towns, to erect, use and maintain poles, wires, guy wires, towers, fixtures and other necessary construction, for the purpose of conducting electricity for lighting, power and heating purposes over and across any public lands, highways or streams or the lands of any person or persons and to acquire the necessary interests in real estate therefor.

The said petition shall set forth the manner, methods and specifications for the construction of said line, the description of the lands over which said transmission line is to be constructed and the owners thereof and their interests therein and shall set forth the location of said transmission lines and the interests in real estate which the petitioner deems neces-

sary for said line and desires to acquire therefor. Upon the presentation of said petition to any judge of said court, he shall endorse thereon an order fixing the time and place of the hearing of said application, which shall be not less than fifteen (15) days thereafter.

A written notice of the time and place of said hearing with a copy of said petition and order attached shall be duly served upon the county and all of the persons interested in the real estate crossed by said transmission lines. Service of said notice with a copy of petition and order attached shall be made in the same manner as is provided for the service of original notices and shall be completed not less than ten (10) days prior to the date of said hearing. All objections to the granting of said petition shall be in writing and filed in the office of the clerk of the district court on or before the day next preceding the day of said hearing, but additional objections may be filed at any time before the final submission of the cause. Said action shall be tried as an equitable proceeding and the court shall have jurisdiction to hear and determine all matters and things at issue; and the court shall by judgment and decree determine a proper and suitable location for the construction of said transmission line, the rights in real estate which the petitioner may acquire for said transmission line and the manner and method of construction, reconstruction and future maintenance of said line and all matters and things pertaining thereto, and said judgment and decree shall be entered as a judgment and decree of said court made as of the first day of the next succeeding term thereof.

SEC. 2. Any person or corporation organized under the laws of this state owning or operating a transmission line for conducting electricity or who have obtained a right so to do and desires to acquire additional rights for purposes contemplated herein, such person or corporation may petition the court of the county in which such transmission line has been or is to be erected and give notice of the hearing, which, together with all other proceedings, shall be had in an original application and hearing as herein provided; and the court shall by judgment or decree, determine the additional necessities and rights of such persons or corporations as to reconstruction, relocation, maintenance, rights in real estate which may be necessary to acquire for such additions and all matters pertaining thereto with the view of carrying out the purpose of this act.

SEC. 3. If the person over whose lands said transmission line passes claims more damages for the rights which the district court has authorized the petitioner to acquire, than the proprietor of such line is willing to pay, the amount thereof may be determined in the same manner as provided for taking private property for works of internal improvement, as provided in chapter IV (4) of title X (10) of the Code of 1897 and amendments thereto.

SEC. 4. The said transmission lines shall be constructed so as not to interfere with the use by the public of the highways or streams or

unnecessarily interfere with the use of any lands by the occupant thereof, and shall be built of strong and proper wires attached to strong and sufficient supports, properly insulated at all points of attachment; all wires, poles and other devices, which by ordinary wear or other causes are no longer safe, shall be removed and replaced by new wires, poles or other devices as the case may be, and all abandoned wires, poles and other devices shall be at once removed; all wires carrying electric current shall be properly insulated where they enter a building or at other places where they may be or may become dangerous; where wires carrying current are carried across or under wires used for other services, the said transmission line shall be constructed in such a manner as to eliminate, so far as practicable, dangers to persons or property by reason of said crossing; there shall also be installed safe and sufficient devices to automatically shut off the flow of electric current through said transmission line whenever connection is made whereby current is transmitted from the wires of said transmission line to the ground and safe and sufficient devices for the protection of said line against lightning; no transmission line shall be constructed except by agreement within one hundred (100) feet of any dwelling house or other building, except where said line crosses a public highway or is located just outside of and parallel to the right of way of any railway company.

At any crossing of any highway by said transmission line, the poles or towers thereof nearest to the highway shall be labeled with the following words: "DANGER! .....VOLTS ELECTRICITY." The stroke of said letters and number shall be at least four (4) inches in length and not less than five-eights (⅝) of an inch in width and the color of the letters and number shall be in contrast with the color of the background. The said label shall show the number of volts of electricity being transmitted over said line and said label shall face toward the highway.

SEC. 5. In case of injury to any person or property by any transmission line operating under this act, negligence will be presumed on the part of the person or corporation operating said line in causing said injury, but this presumption may be rebutted by proof, but no change in the rule of the burden of proof shall exist in favor of employes of the person or corporation operating said transmission line, who are charged with or engaged in the construction, reconstruction, repair or maintenance thereof.

SEC. 6. Individuals or corporations operating transmission lines conducted by authority of a decree of a district court as herein provided, shall have reasonable access to said transmission line for the purpose of constructing, reconstructing, maintaining, enlarging, repairing or relocating the poles, wires or other devices used in and upon said transmission line, but shall pay to the owner of any lands or crops all damages to said lands or crops caused by entering or occupying any lands for said purposes.

This act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in the Register and Leader and Des Moines Capital, newspapers published at Des Moines, Iowa; and when so amended the bill do pass.

D. C. CHASE,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Chase moved that 400 additional copies of the substitute for Senate File No. 57 be printed.

Carried.

Senator Boe called up for consideration House concurrent resolution relative to extending an invitation to Edwin G. Cooley to address the joint convention and moved its adoption.

Carried.

President Harding appointed as such committee on part of the Senate, Senators Boe and DeWolf.

THIRD READING OF BILLS.

On motion of Senator Clarkson, Senate File No. 6, a bill for an act to amend section one (1), chapter one hundred six (106), acts of the Thirty-fourth General Assembly relating to the appointment of mine inspectors, was taken up and considered.

On the motion of Senator Clarkson to reconsider the vote by which Senate File No. 6 failed of passage and passed to its third reading, a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Arney, Balluff, Boe, Chase, Clarkson, Cowles, Garrett, Gillette, Kimball, Heald, Jones, Larrabee, Legel, McColl, McManus, Neal, Perkins, Quigley, Ream, Robinson, Sheean, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

Balkema, Darrah, Doran, Dunnegan, Farr, Fellows, Hilsinger, Nye, Schrup, Smith—10.

Absent or not voting:

Crist, Crow, DeWolf, Francis, Jewell, Malmberg, Mattes, Savage, Spaulding, Webber—10.

So the motion prevailed.

Further consideration of the bill was postponed.

On motion of Senator Larrabee, Senate File No. 79, a bill for an act to amend section twenty-eight hundred twenty-three-a and section twenty-eight hundred twenty-three-l, supplement to the code, 1907, relative to the attendance of children of a certain age in public schools, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Larrabee moved that the substitute for the original bill be adopted.

Carried.

Further consideration of the bill was postponed.

On motion of Senator Chase, Senate File No. 35, a bill for an act to legalize a certain election held in the town of Jewell Junction, Iowa, was taken up and considered.

Senator Chase moved that the Senate concur in the following House amendment:

Amend title by striking out of the second line thereof reading: "The town of Jewell Junction."

On the question, "Shall the Senate concur in the House amendment?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett,

Gillette, Kimball, Heald, Hilsinger, Jones, Larrabee, Legel, Mattes, McColl, McManus, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Crist, DeWolf, Francis, Jewell, Malmberg, Neal, Savage, Thomas—8.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator Balluff, Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the code, relating to investment of money and to enact a substitute therefor, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Balluff moved that the substitute for the original bill be adopted.

Carried.

The bill was read for information.

Senator Balluff moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Kimball, Heald, Hilsinger, Jones, Legel, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Crist, DeWolf, Francis, Jewell, Larrabee, Malmberg, Ream, Savage, Taylor—9.

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

The Journal of February 18th was taken up, corrected and approved.

On request of Senator Neal, leave of absence was granted Senator Savage for the day.

REPORTS OF COMMITTEES.

Senator Savage, from the committee on Public Schools, submitted the following report:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 205, a bill for an act to require the teaching of elementary agriculture, domestic science and manual training in the public schools after a specified time, beg leave to report they have had the same under consideration and recommend the same do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 76, a bill for an act to amend section twenty-six hundred eight (2608) of the Supplement to the Code, 1907, and establish a minimum monthly allowance for the support of the Soldiers' Home, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 142, a bill for an act to repeal chapter one hundred thirty-seven (137) of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor, relating to the support of the industrial schools, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 44, a bill for an act to fix the compensation of the wardens and of certain officers and employes of the reformatory at Anamosa and the state penitentiary at Fort Madison, and to enlarge the support fund of said institutions; repealing sections five thousand seven hundred and seventeen (5717) and five thousand seven hundred and eighteen (5718) of chapter two (2), title twenty-six (XXVI), of the Code, and the law as found in sections five thousand seven hundred and sixteen (5716) and five thousand seven hundred and eighteen-a-twenty-eight (5718-a-28), chapter two (2), title twenty-six (XXVI) of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Senator Legel, from the committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your committee on Pharmacy, to whom was referred House File No. 157, a bill for an act to amend section twenty-five hundred and eighty-four (2584) of the Code; to repeal section twenty-five hundred and eighty-nine-a (2589-a), Supplement to the Code, 1907, as amended by section two (2) of chapter one hundred and twenty-three (123), laws of the Thirty-fourth General Assembly, and to enact a substitute therefor; to repeal section twenty-five hundred and eighty-five (2585) of the Supplement to the Code, 1907, as amended by chapter one hundred and twenty-three (123) of the acts of the Thirty-fourth General Assembly, and enact a substitute therefor relating to the practice of pharmacy and to sale of drugs, medicines, poisons and chemicals, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend by inserting after the word "annum" in the last line of section three (3) the following:

"And shall perform such duties as the board may prescribe."

"SEC. 4. That section twenty-five hundred and eighty-seven (2587) of the Code, as amended by chapter one hundred and twenty-three (123) of the acts of the Thirty-fourth General Assembly be amended by striking out th word "five" as it occurs in the fifth line of said section, and substituting therefor the word "six"; and when so amended the bill do pass.

JOHN G. LEGEL,
Chairman.

Ordered passed on file.

On request of Senator Arney, leave of absence was granted Senator Malmberg for the day.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 18 and 81.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Jones, Senate File No. 280, a bill for an act providing for the employment of prisoners upon the highways of this state, or in the construction and improvement of any public works.

Read first and second time and referred to committee on Penitentiaries and Pardons.

By Senator Jones, Senate File No. 281, a bill for an act regulating the employment of prisoners at the penitentiary at Fort Madison and making an appropriation therefor.

Read first and second time and referred to committee on Penitentiaries and Pardons.

By Senator Farr, Senate File No. 282, a bill for an act to prohibit trespassing on railway tracks, rights of way, cars and engines, and providing a penalty for the violation thereof.

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

By Senator Clarkson, Senate File No. 283, a bill for an act to provide for and require instruction in public schools with reference to preventing accidents.

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

By Senator Taylor, Senate File No. 284, a bill for an act to amend the law as it appears in sections twenty-seven hundred twenty-seven-a fifty-eight (2727-a58), twenty-seven hundred twenty-seven-a fifty-nine (2727-a59), twenty-seven hundred twenty-seven-a sixty (2727-a60), twenty-seven hundred twenty-seven-a sixty-two (2727-a62); and to repeal section twenty-seven hundred twenty-seven-a sixty-three (2727-a63) of the supplement to the code, 1907, and to enact a substitute therefor; all relating to the powers of the board of control.

Read first and second time and referred to committee on Board of Control and its Institutions.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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 amend section nine hundred thirty-seven of the Code, relating to the filling of vacancies in the office of alderman in cities under special charters.

Also:

Senate File No. 81, a bill for an act to legalize releases and satisfactions of mortgages and trust deeds.

JOHN H. TAYLOR,
Chairman.

Passed on file.

Senator Webber moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 20, 1913.

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

Prayer was offered by Rev. Robert McInturff, Odebolt, Iowa.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House File No. 165, a bill for an act to amend the law as it appears in chapter 78, acts of the Thirty-third General Assembly, as amended by chapter 60, acts of the Thirty-fourth General Assembly, relating to the removal of officers.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 206, a bill for an act to legalize the ordinances of the town of New Market, Taylor county, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 31, a bill for an act to amend the law as it appears in section 674 of the Supplement to the Code, 1907, relative to the compensation of assessors and deputies.

A. C. GUSTAFSON,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Balkema presented a petition of citizens of George, Iowa, opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Garrett presented a petition of citizens of Muscatine county opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Kimball presented three petitions of citizens of Pottawattamie county opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Robinson presented a petition of citizens of Franklin county, Iowa, opposing passage of a bill to abolish office of school treasurer.

Referred to committee on Schools.

Senator Gillette presented a petition of citizens of Cherokee, Iowa, urging passage of House File No. 364, by Brockway.

Referred to committee on Pharmacy.

Senator Spaulding presented a petition of citizens of Keokuk county, Iowa, opposing a permanent tax commission for Iowa.

Referred to committee on Ways and Means.

Senator Sullivan presented a petition from Local Union 384, United Mine Workers of America, urging passage of Senate File No. 3, by Clarkson.

Referred to committee on Judiciary.

Senator Ames presented a petition of citizens of Tama county, Iowa, opposing passage of House File No. 130.

Referred to committee on Schools.

Senator Jones presented a petition of citizens of Montgomery county, Iowa, opposing passage of House File No. 130.

Referred to committee on Schools.

Senator Thomas presented a petition of soldiers, sailors and mariners of the war of the rebellion asking the legislature to support House Joint Resolution No. 10; also House File, by Clark.

Referred to committee on Compensation of Public Officers.

Senator Clarkson presented a petition of citizens of Lehigh, Waterloo, Ogden and Fraker, Iowa, asking the passage of Senate File No. 3.

Referred to committee on Judiciary.

Senator Doran presented a petition of citizens of Boone county opposing passage of House File No. 130.

Referred to committee on Schools.

Senator Chase presented a petition of citizens of Webster City, Iowa, urging passage of House File No. 364, by Brockway.

Referred to committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Mattes, Senate File No. 285, a bill for an act to provide for a filing and recording fee for real estate mortgages.

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

By Senator Gillette, by request, Senate File No. 286, a bill for an act to regulate the practice of suggestive therapeutics, in the treatment of mental and bodily ailments.

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

By Senator Kimball, Senate File No. 287, a bill for an act to amend section two hundred twenty-seven (227) of the supplement

to the code, 1907, relating to the division of the state into judicial districts and increasing the number of district judges in the fifteenth judicial district and providing for the appointment of a judge to fill the vacancy and for the election of a judge for the place at the next general election.

Read first and second time and referred to committee on Congressional and Judicial Districts.

By Senator Kimball, Senate File No. 288, a bill for an act to amend section one (1) of chapter fifteen (15) acts of the Thirty-fourth (34th) General Assembly relating to the salaries of clerks of the district courts in certain counties.

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

HOUSE MESSAGES CONSIDERED.

House File No. 165, a bill for an act to amend the law as it appears in chapter seventy-eight (78), acts of the Thirty-third (33) General Assembly, as amended by chapter sixty (60), acts of the Thirty-fourth (34) General Assembly, relating to the removal of officers for misfeasance, malfeasance or nonfeasance in office.

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

House File No. 206, a bill for an act to legalize the ordinances of the town of New Market, Taylor county, Iowa.

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

House File No. 31, a bill for an act to repeal section six hundred seventy-four (674) of the supplement to the code, 1907, and to enact a substitute therefor relating to the compensation of assessors in cities and towns.

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

REPORTS OF COMMITTEES.

Senator Neal, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate File No. 28, a bill for an act making an appropriation of five hundred dollars ($500.00) for Henry H. Hood on account of special services rendered to the Iowa Vicksburg Park Monument Commission in the erection of the state memorial on the Vicksburg National Military Park, beg leave to report they have had the same under consideration and recommend the same be reported to the committee on Appropriations with the request that it be reported for passage.

S. A. NEAL,
Chairman.

Senator Neal moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Senator Francis, 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 legalizing the ordinances, resolutions and acts of the council of the incorporated town of Pacific Junction in Mills county, Iowa, so far as affected by the election of six members of said council instead of five, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out section 2 as it appears in the bill and renumbering sections 3 and 3, respectively, in conformity; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 15, a bill for an act to provide for the selection in the district court of additional trial jurors, to provide for the procedure therefor, and for the substitution of such additional jurors in place of

jurors who may die or be discharged, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 225, a bill for an act to repeal sections 3722 and 2723 of the Code, 1897, and enact in lieu thereof the following, which provides for a three-fourths verdict in all civil cases, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 220, a bill for an act making it a misdemeanor for making untrue, deceptive or misleading statements in advertisements, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 71, a bill for an act to repeal chapter one hundred fifty-two (152) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the conveyance of real estate by executor, administrator, trustee, guardian, referee or commissioner, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 228, a bill for an act to amend section four thousand eight hundred twenty-three (4823) of the Code, pertaining to malicious mischief and trespass, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 209, a bill for an act to amend the law as it appears in section 4586 of the Code, 1897, relative to making transcript from the docket of a justice of the peace, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT to Amend the Law as it Appears in Section Forty-five Hundred Eighty-five of the Code of 1897, Relative to the Issuance of an Execution in Making Transcript from the Docket and Judgment of a Justice of the Peace Where a Vacancy Exists.

Be It Enacted by the General Assembly of the State of Iowa:

That section forty-five hundred eighty-five (4585) of the Code of 1897 be amended by adding thereto the following:

That during the time of the vacancy in said office and while the docket and papers are in the hands of the auditor, the clerk of the district court of said county, on the filing of a written request by the plaintiff, his agent, or attorney, in any case in which a judgment appears in said

docket, shall issue an execution on any judgment shown in said docket, or make a transcript thereof and certify to the same, as provided by law, noting said fact on said docket with date thereof, which execution and transcript, when so issued and made, shall have the same force and effect as though issued by a justice of the peace rendering said judgment; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 103, a bill for an act to limit and restrict the jurisdiction and power of the supreme court, in passing upon the constitutionality of acts of the General Assembly, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

On the motion a roll call was demanded.

Those favoring the adoption of the report of the committee were:

The ayes were:

Ames, Balluff, Boe, Cowles, Crist, DeWolf, Dunnegan, Gillette, Goodwin, Heald, Hilsinger, Jones, Larrabee, Malmberg, Mattes, McColl, McManus, Nye, Perkins, Quigley, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas—27.

The nays were:

Allen, Arney, Balkema, Chase, Clarkson, Darrah, Doran, Farr, Fellows, Garrett, Legel, Neal, Ream, Webber, White, Wilson of Appanoose, Wilson of Clinton—17.

Absent or not voting:

Crow, Francis, Jewell, Savage, Schrup—5.

Adopted.

So the bill was indefinitely postponed.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Sullivan, Senate File No. 289, a bill for an act to amend the law as it appears in section twenty-four hundred seventy-two (2472) of the supplement to the code, 1907, and section twenty-four hundred seventy-four (2474) of the code, and to repeal section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and chapter one hundred forty-four (144) of the acts of the Thirty-third (33) General Assembly amendatory to section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and to enact a substitute therefor, all relating to the bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof.

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

By Senator Webber, Senate File No. 290, a bill for an act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of his employment from a cause originating therein, establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder, repealing inconsistent laws and regulating insurance.

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

By Senator Francis, Senate File No. 291, a bill for an act to legalize conveyances of real property by foreign executors or trustees under foreign wills where the provisions of section 3295 of the code were not observed or complied with.

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

By Senator Francis, Senate File No. 292, a bill for an act to amend section 3707 of the code of 1897 relating to instructions to juries and exceptions thereto.

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

By Senator Francis, Senate File No. 293, a bill for an act to amend sections 9 and 13 of chapter 118 of the laws of the Thirty-third General Assembly in relation to actions involving drainage districts.

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

By Senator Francis, Senate File No. 294, a bill for an act to repeal section 3308 of the code of 1907 and to enact a substitute therefor relating to release and discharge of liens by foreign administrators, executors and guardians.

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

By Senator Francis, Senate File No. 295, a bill for an act to amend the law as it appears in section nine (9) chapter one hundred fifty-three (153), acts of the Thirty-third General Assembly relating to the protection of fish and game; and to amend the law as it appears in chapter one hundred sixteen (116) of the acts of the Thirty-fourth General Assembly, relating to the compensation of the fish and game warden.

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

By Senator Francis, Senate File No. 296, a bill for an act relating to the granting of new trials, setting aside of verdicts and reversal of causes upon appeal to the supreme court and defining procedure.

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

By Senator Francis, Senate File No. 297, a bill for an act relating to the trial of divorce cases.

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

By Senator Francis, Senate File No. 298, a bill for an act to amend section 4110 of the code of 1897 relating to appeals to the supreme court.

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

By Senator Francis, Senate File No. 299, a bill for an act to amend section 3705 of the code of 1897 relating to instructions to juries.

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

By Senator Francis, Senate File No. 300, a bill for an act to legalize releases and discharges of judgments, mortgages and deeds of trust made by administrators, executors or guardians appointed in other states or countries where the provisions of section 3308 of the code were not observed or complied with.

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

By Senator Francis, Senate File No. 301, a bill for an act to amend section 3505 of the code of 1897 in relation to change of place of trial when a county is a party.

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

By Senator Chase, Senate File No. 302, a bill for an act to repeal the law as it appears in section nineteen hundred forty-eight (1948) of the supplement to the code, 1907, and to repeal the law as it appears in section nineteen hundred eighty-nine-a-fifteen (1989-a-15) of the supplement to the code, 1907, and to enact a substitute therefor, defining nuisances in construction of drainage ditches, and making the obstruction of such ditches and levees a misdemeanor.

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled House File No. 34, a bill for an act to amend section seven hundred forty-one-d (741-d) of the Supplement to the Code, 1907, relating to the power to erect a city hall and to purchase the ground therefor in certain cities.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

REPORTS OF COMMITTEES.

Senator Ames, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate File No. 88, a bill for an act amending chapter 135 of the acts of the Thirty-third General Assembly, relating to lien upon progeny of stallions, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

A. L. AMES,
Chairman.

Senator Ames moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate File No. 144, a bill for an act to amend sections 2, 3 and 7 of the law as it appears in chapter 100 of the laws of the Thirty-fourth General Assembly, and adding new sections relating to stallions and jacks, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT to Amend Sections Two (2), Three (3) and Seven (7) of the Law as it Appears in Chapter One Hundred (100) of the

Laws of the Thirty-fourth General Assembly, and Adding New Sections to the Same, Relating to Stallions and Jacks.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. Amend section two (2) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly by striking out all of that section up to the comma after the word "disease" in the ninth line thereof and inserting in lieu thereof the following: "The owner or keeper of each and every stallion or jack over two years old kept for public service, sale, exchange or transfer shall cause said stallion or jack to be examined by a duly qualified veterinarian who shall be a graduate of a recognized college and registered as a graduate veterinarian by the Iowa board of veterinary examiners or veterinarian licensed by said board who shall make affidavit that such animal is free from hereditary, infectious, contagious or transmissable disease or unsoundness.

SEC. 2. Amend section three (3) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly by striking out the words "bog spavin" in line five and inserting in lieu thereof the word "ringbone" and by striking out the word "ringbone" in line eleven and inserting in lieu thereof the words "bog spavin".

SEC. 3. Strike out all of section seven (7) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly and insert in lieu thereof: "Every person, firm, company or corporation importing from foreign countries any stallion or jack into the state of Iowa for use or public service, sale, exchange or transfer shall secure certificates of freedom from diseases and unsoundness from a duly qualified or licensed veterinarian in this state, certifying that said animal is free from any or all diseases and unsoundness enumerated in section three (3) of chapter one hundred (100) of the acts of the Thirty-fourth General Assembly as herein amended. Said certificate must be filed with the secretary of the state board of agriculture, who shall issue a certified copy of said certificate of soundness without charge to said importer, which shall serve as a temporary permit to offer said stallion for public service, sale, exchange or transfer until such time as original certificate of pedigree can be produced and state certificate of enrollment and soundness issued. Said temporary permit shall be invalid after ninety (90) days from date of issue.

SEC. 4. Add to chapter one hundred (100) of the acts of the Thirty-fourth General Assembly the following sections to follow section seven (7):

No stallion or jack shall be brought into the state of Iowa from any other state unless accompanied by a certificate of soundness issued by a duly qualified veterinarian who must be approved by the state veterinarian of the state in which the animal is purchased, such examinations

to cover all diseases and unsoundnesses specified in section three (3) of chapter one hundred (100) of the acts of the Thirty-fourth General Assembly as herein amended. Said certificate must be filed with the secretary of the state board of agriculture, who shall issue a permit admitting said stallion or jack into the state.

SEC. 5. No railroad company, transportation company or common carrier shall transport into the state of Iowa except for exhibition or racing purposes, any stallion or jack unless accompanied by a state veterinarian's certificate as provided in section four (4) of this act. Violation of this provision shall be punished as provided in section eight (8) of chapter one hundred (100) of the acts of the Thirty-fourth General Assembly.

SEC. 6. Any stallion or jack six years old or over and having successfully passed veterinary examinations for soundness for two consecutive years shall be entitled to a permanent state certificate of soundness. The last examination must have been made within the year in which said certificate was granted, provided, however, that said permanent certificate must be returned each year to the secretary of the state board of agriculture with a fee of one dollar ($1.00) for renewal and must be accompanied by a certificate signed by a duly qualified or licensed veterinarian that said animal is free from contagious, infectious or communicable diseases.

SEC. 7. The owner of any blind stallion or jack may upon application have the same examined at the expense of the owner of said animal by a board of three examiners, one to be the state veterinarian or his duly authorized deputy, one to be selected by the owner of the animal who shall be a graduate or licensed veterinarian, and these two shall appoint a third graduate or licensed veterinarian who shall act with them, and if upon examination and proof furnished, all three or any two members of said board declare that such blindness was caused by accident or disease not transmissable, then upon affidavit of said board the secretary of the state board of agriculture shall be authorized to issue a state certificate; and when so amended the bill do pass.

A. L. AMES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Jones, 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. 140, a bill for an act to repeal the law as it appears in section fifty-six hundred eighty-five-a (5685-a) of the Supplement to the Code, 1907, and to enact a substitute therefor in regard to collection of money from visitors and its use, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By supplying the word "musical" between the words "and" and "supplies" in the fifteenth (15) line of section one (1) of the bill; and when so amended the bill do pass.

F. F. JONES,
Chairman.

Ordered passed on file.

Senator Perkins offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That the following joint rules of the Thirty-fourth (34th) General Assembly be adopted by the House and Senate as the joint rules of the Thirty-fifth (35th) General Assembly:

JOINT RULES.

COMMITTEE ON CONFERENCE.

1. Whenever either house shall amend a measure and the other house shall refuse to concur in and adopt the amendment, the house which has adopted such amendment shall either insist on or recede from the same. But when a measure originating in one house is amended in the other, the house in which it originated may amend such amendment and a motion therefor shall take precedence of a motion to concur. In case said house refuses to concur, the house which adopted the amendment may either recede from or insist upon such amendment, and a motion to recede takes precedence of a motion to insist. In case a motion to insist on the amendment be decided in the negative, such action shall be deemed a receding from the amendment and so entered upon the Journal of the house. In case the amendment is insisted upon, the house so insisting shall request a committee of Conference on the subject of disagreement, and shall appoint a committee therefor. The other house shall thereupon appoint such a committee. Unless another number is specified in said request, such Conference committee shall consist of four members from each house. They shall meet at a convenient time, to be agreed upon by their chairman, and having conferred freely, each shall report to their respective house the result of their conference. In case of agreement, the report shall be first made, with the papers

referred accompanying it, to the House which refused to concur, and there acted upon; and such action shall be immediately reported by the secretary or clerk to the other house, the papers referred accompanying the message. In case of disagreement of Conference committee, the papers shall remain with the house which insisted on the amendment. The agreeing report of a Conference committee shall be made, read and signed in duplicate by all the members of the committee, or by a majority of those of each house, one of the duplicates being retained by the committee of each house.

TRANSMISSION OF MESSAGES.

2. When a message shall be sent from either house to the other, it shall be announced at the door of the house to which it is sent by the doorkeeper thereof, and shall be respectfully communicated to the Chair by the person by whom it is sent.

WHO SHALL TRANSMIT MESSAGES.

3. All messages between the two houses shall be communicated by the secretary or chief clerk, or their respective assistants.

ENROLLING BILLS.

4. When a bill shall have passed both houses, it shall be duly enrolled by the enrolling clerk of the house in which it originated, and the fact of its origin shall be certified by the endorsement of the secretary or clerk thereof.

EXAMINATION OF ENROLLMENT BY JOINT COMMITTEE.

5. When the bills are enrolled they shall be examined by a joint committee of two from the Senate and two from the House of Representatives, who shall be a standing committee for that purpose, and who shall carefully compare the enrollment with the engrossed bills, as passed in the house, correct any errors therein, and make report thereof forthwith to their respective houses.

SIGNATURE OF BILLS.

6. After the report, each bill shall be signed, first by the speaker of the House of Representatives, and then by the president of the Senate, in the presence of their respective houses.

TRANSMISSION TO THE GOVERNOR.

7. After a bill shall have been thus signed in each house, it shall be forthwith presented, by committee of the house in which the bill originated, to the governor, for his approval, and they shall forthwith report the date of presentation, which shall be entered upon the Journal of the house in which the bill originated.

WHAT SHALL BE ENROLLED.

8. All orders, resolutions, memorials or other votes, which are to be presented to the governor for his approval, shall be enrolled, examined, signed and presented in the same manner as bills.

ENDORSEMENTS OF BILLS.

9. When any bill, resolution or memorial, which shall have passed in one house, is rejected or adopted in the other, notice of such action shall be given to the house which passed the same. And each bill, resolution or memorial shall have properly endorsed thereon, at the time of its transmission, a statement signed by the secretary or clerk of the action which has been taken thereon by the house transmitting the same, with the dates thereof.

PROCEDURE FOR SECOND INTRODUCTION OF BILLS.

10. When a bill, resolution or memorial which shall have passed one house is rejected in the other, it shall not be again introduced during the session without five days' notice and leave of a majority of the members of the house in which the same is sought to be introduced.

TRANSMISSION OF ADDITIONAL DOCUMENTS.

11. Each house shall transmit to the other with any bill, resolution or memorial all papers upon which the same shall be founded.

PRINTING OF BILLS.

12. When any report, bill or resolution shall be ordered printed by either house, without stating the number, three hundred copies shall be printed for the use of both houses, but when any bill or resolution which may have passed one house is ordered printed by the other, a greater number of copies shall not be printed than the house making the order shall determine.

COMMUNICATION OF PRINTING ORDERS.

13. It shall be the duty of the chief clerk of the House of Representatives and the secretary of the Senate, when any document, except bills and resolutions, is ordered to be printed in their respective houses, forthwith to communicate such order to the other house.

ARRANGEMENT OF ROLL CALL IN JOINT CONVENTION.

14. In all elections in joint convention of the two houses, the names of all members shall be arranged in alphabetical order, and they shall be called upon to vote in the order in which they stand arranged.

DUTY OF COMMITTEE ON CLAIMS.

15. It shall be the duty of the committee on claims in each house to keep a book record, in which shall be entered each claim for money against the state referred to them, whether presented in favor of private persons, or municipal or other corporations, entering therein the name of the claimant, the amount of the claim, the grounds therefor, with note of the evidence offered in support of the same, and the final conclusion of the committee thereon. At the close of the session said book of record shall be deposited with the auditor of state, to be kept by him, and he shall provide an index, showing the names of the claimants recorded therein. At any subsequent session, the same shall be delivered, when desired, to the like committee having jurisdiction of such claims, and shall always be open to the examination of the said committee of either house.

By unanimous consent the resolution was taken up for consideration.

Senator Perkins moved that the resolution be adopted.

Carried.

Senator Perkins moved that the rules be adopted by the Senate as the joint rules of the Thirty-fifth General Assembly.

Carried.

REPORT OF COMMITTEE.

Senator Larrabee, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 52, a bill for an act requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for failure to comply therewith, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

That section 2 be amended by the adoption of the following substitute:

"SEC. 2. Failure to adjust and pay such claim within the period herein prescribed shall subject such common carrier so failing to the penalty of a sum which in amount shall be equal to twice the amount of the claim originally filed; provided, however, that said penalty shall in no

case be less than twenty-five (25) dollars for each and every such failure to be recovered by any consignee or consignees aggrieved in any court of competent jurisdiction."; and when so amended the bill do pass.

FREDERIC LARRABEE,
Chairman.

Ordered passed on file.

Senator Clarkson, from the committee appointed to examine applicants for committee clerkships, submitted the following report and moved its adoption:

We, your committee appointed to examine the qualification of committee clerks, beg leave to report that we have examined the following named person and find her qualified for the position referred to:

Francis H. Lyon.....Senator White

JOHN T. CLARKSON,
Chairman.

Adopted.

The following committee clerk appeared before the bar of the Senate on the date shown below and was duly sworn:

Francis H. Lyon, Feb. 19.....Senator White

PETITIONS AND MEMORIALS.

Senator Francis presented a petition of citizens of Spirt Lake, Iowa, urging passage of House File No. 364.

Referred to committee on Pharmacy.

On request of Senator Neal, leave of absence was granted Senator Savage for the day.

On request of Senator Garrett, leave of absence was granted Senator Crow for the day.

The Journal of February 19th was taken up, corrected and approved.

Senator Smith 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, FEBRUARY 21, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. James McGee, Marshalltown, Iowa.

PETITIONS AND MEMORIALS.

Senator Wilson of Clinton presented a petition of citizens of Clinton county favoring the state annuity bill for teachers.

Referred to committee on Schools.

Senator Spaulding presented a petition of citizens of Poweshiek county favoring the passage of Senate File No. 172.

Referred to committee on Appropriations.

Senator Smith presented a petition of citizens of Anita, Iowa, protesting against the passage of House File No. 130.

Referred to committee on Schools.

President Harding presented a petition of citizens of West Grove opposing the abolishment of office of school treasurer.

Referred to committee on Schools.

On request of Senator Boe, leave of absence was granted Senator Gillette for the day.

INTRODUCTION OF BILLS.

By Senator Perkins, Senate File No. 303, a bill for an act to discharge a bankrupt from judgments and providing for giving notice thereof.

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

By Senator Ream, Senate File No. 304, a bill for an act for the relief of the grantees of David E. Fry, and for the purpose of having patents issued in the names of W. F. Pomeroy and Arthur Dilley, for certain tracts of land.

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

By Senator Nye, Senate File No. 305, a bill for an act to repeal the law as it appears in sections one (1), two (2), three (3) and five (5) of chapter sixty-three (63) of the acts of the Thirty-fourth (34) General Assembly, relating to the assessment and taxation of money, credits, corporation shares of stock, and other intangible property; to amend the law as it appears in section one thousand three hundred ten (1310) of the code relating to the same subject and to amend the law as it appears in section thirteen hundred eleven (1311) of the code providing for deducting debts from property listed for taxation.

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

By committee on Public Utilities, Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the board of railroad commissioners to "public utilities commission"; enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71), of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the board of railroad commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities.

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

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House Joint Resolution No. 6, to amend the constitution of the state of Iowa by repealing section 1, article 2 of said constitution and the adoption of a substitute therefor relating to the right of suffrage.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 17, a bill for an act relating to giving school boards certain authority and providing for levy of separate tax and authorizing an appropriation of money by districts, additional to chapter 14, title 13, of the Code.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the speaker of the House appointed the following committee on the part of the House to write Mr. Edwin G. Cooley of Chicago to address a joint convention of the Senate and House, viz.: Dawson of Cherokee, Jensen of Pocahontas, Scholz of Clayton.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

House Joint Resolution No. 6.

Joint Resolution Proposing an Amendment to the Constitution of the State of Iowa by Repealing Section One (1) of Article Two (2) of Said Constitution and the Enactment and Adoption of a Substitute Therefor, Relating to the Right of Suffrage.

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

SECTION 1. That the following amendment to the constitution of the state of Iowa is hereby proposed, to-wit:

"Repeal section one (1) of article two (2) of the constitution of the state of Iowa and in lieu thereof enact and adopt the following, to-wit:

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

The joint resolution was read first and second time.

Senator Allen moved that the joint resolution be placed on the calendar.

On this motion a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Arney, Boe, Clarkson, Crow, Darrah, Dunnegan, Farr, Fellows, Garrett, Heald, Jones, Kimball, Larrabee, Legel, McColl, Neal, Nye, Ream, Robinson, Smith, Spaulding, Taylor, Thomas, Wilson of Appanoose—26.

The nays were:

Balluff, Chase, Cowles, Doran, Hilsinger, Malmberg, Mattes, Perkins, Quigley, Schrup, Sheean, Sullivan, Webber, White, Wilson of Clinton—15.

Absent or not voting:

Balkema, Crist, DeWolf, Francis, Gillette, Jewell, McManus, Savage—8.

So the motion prevailed.

I move to reconsider the vote by which House Joint Resolution No. 6 was placed upon the calendar.

E. P. FARR.

HOUSE MESSAGES CONSIDERED.

House File No. 17, a bill for an act giving school boards in certain districts authority to use school buildings and grounds and other public buildings and grounds for public recreation and playground purposes and providing for the levy of separate tax for the support of the same, and authorizing cities within such districts to appropriate money for the same purpose. Additional to chapter fourteen (14), title thirteen (13) of the code.

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

Concurrent resolution relative to an invitation to Mr. Edwin G. Cooley of Chicago to address a joint convention of the Senate and House.

Passed on file.

REPORTS OF COMMITTEES.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 214, a bill for an act authorizing the executive council of Iowa to incur expenses and make expenditures to procure data, make investigations and provide things not otherwise provided to enable said executive council to perform the duties imposed by law, and making appropriation therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Senator Arney, from the committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Educational Institutions, to whom was referred Senate File No. 122, a bill for an act to establish three additional state normal schools, to locate the same, select and secure sites therefor, and making appropriation for the purchase of said sites, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

W. H. ARNEY,
Chairman.

Senator Arney moved the adoption of the report of the committee.

Senator Balkema moved the previous question.

Carried.

On the adoption of the report a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Doran, Fellows, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Mattes, Perkins, Quigley, Ream, Savage, Schrup, Smith, Sullivan, Webber, Wilson of Clinton—27.

The nays were:

Cowles, Darrah, Dunnegan, Farr, Garrett, Malmberg, McColl, McManus, Neal, Nye, Robinson, Spaulding, Taylor, Thomas, White, Wilson of Appanoose—16.

Absent or not voting:

Crist, DeWolf, Francis, Gillette, Jewell, Sheean—6.

So the report of the committee was adopted and the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Educational Institutions, to whom was referred Senate File No. 123, a bill for an act to establish and maintain an elementary state normal school at Perry, Iowa, and donating certain real estate to the state of Iowa for the use of same school, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

W. H. ARNEY,
Chairman.

Senator Arney moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Educational Institutions, to whom was referred Senate File No. 187, a bill for an act to establish three additional state normal schools and for the location of same and procuring sites therefor and making an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

W. H. ARNEY,
Chairman.

Senator Arney moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Educational Institutions, to whom was referred Senate File No. 106, a bill for an act to amend section eighteen (18) of chapter one hundred and seventy (170) of the acts of the Thirty-third General Assembly relative to the powers and duties of the state board of education and the finance committee of said board of education, beg leave to report they have had the same under consideration and recommend the same do pass.

W. H. ARNEY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Educational Institutions, to whom was referred Senate File No. 54, a bill for an act to establish and maintain an elementary state normal school for the education and preparation of teachers for the common schools of Iowa, and providing for the transfer of certain property to the state of Iowa for the use of said school, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

W. H. ARNEY,
Chairman.

Senator Arney moved the adoption of the report of the committee.

On the motion a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crow, DeWolf, Doran, Fellows, Hilsinger, Jones, Larrabee, Legel, Mattes, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Spaulding, Wilson of Clinton—24.

The nays were:

Chase, Cowles, Crist, Darrah, Dunnegan, Farr, Garrett, Heald, Kimball, Malmberg, McColl, McManus, Neal, Nye, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—21.

Absent or not voting:

Francis, Gillette, Jewell, Sheean—4.

So the report of the committee was adopted and the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Educational Institutions, to whom was referred Senate File No. 155, a bill for an act to establish and maintain an elementary state normal school for the education and promotion of teachers for the common schools of Iowa, and providing for the transfer of certain real estate and personal property to the state of Iowa for the use of said normal school, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

W. H. ARNEY,
Chairman.

Senator Arney moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House File No. 34.

THIRD READING OF BILLS.

On motion of Senator Balluff, House File No. 179, a bill for an act authorizing the recording of transcripts from recorder's office

of instruments affecting real estate. (Additional to chapter 6, title 14, of the code relating to conveyances of real estate), was takn up and considered, and the report of the committee adopted.

Senator Balluff 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 ayes were:

Allen, Ames, Arney, Balluff, Boe, Chase, Clarkson, Crist, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Balkema, Cowles, Crow, Darrah, Francis, Gillette, Jewell, Larrabee, Mattes, McColl, Savage, Sheean, Taylor, Webber—14.

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

Unanimous consent was given Senator Balluff to withdraw from further consideration of the Senate, Senate File No. 90.

On motion of Senator Chase, Senate File No. 111, a bill for an act providing for an expression of opinion on the question of suffrage at the next general election, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Further consideration of the bill was postponed.

The time having arrived for the special order, House File No. 135, a bill for an act to amend the law as it appears in chapter sixty-four (64), acts of the Thirty-third General Assembly, relating to the government of certain cities, was taken up and considered.

Senator Darrah was called to the chair at 11:10.

The bill was read for information.

Senator Sullivan offered the following amendment and moved its adoption:

I move to amend division one (1) of section three (3) by inserting after the word "receive" in the third (3d) line of the printed substitute, the words, "an annual salary of".

Adopted.

Senator Sullivan offered the following amendment and moved its adoption:

Amend by inserting after the word "receive" in the second (2nd) line of division two (2) of section three (3) of the printed substitute the words, "an annual salary of".

Adopted.

President Harding resumed the chair at 11:15.

Senator Sullivan offered the following amendment and moved its adoption:

Amend division five (5) of section three (3) of the printed substitute by adding after the word "mayor's" in the second (2nd) line the word "annual".

Adopted.

Senator Ream offered the following amendment and moved its adoption:

I move to amend the bill by striking out in the third line in the third paragraph of section three, as the same appears in the Journal, the words and figures "one hundred dollars", and inserting in lieu thereof the words and figures "(150) dollars".

Lost.

Senator Darrah offered the following amendment and moved its adoption:

I move to amend division 2 of section 3 by striking out the words and figures "fifteen thousand (15,000)" and insert the words and figures "ten thousand (10,000)". Also by striking out the words and figures "four-fifths (4-5)" and inserting the words and figures "one-half (1-2)".

Senator Kimball moved that the bill be recommitted to the committee on Cities and Towns.

By unanimous consent the motion was withdrawn.

Senator Sullivan moved that further consideration be postponed until 11 o'clock Monday and that it be made a special order for that time.

Carried.

Senate resumed consideration of Senate File No. 111, a bill for an act providing for an expression of opinion on the question of suffrage at the next general election.

Senator Allen moved that further consideration of the bill be postponed until 11 o'clock Wednesday.

On the motion a roll call was demanded.

Those favoring the motion were:

Ames, Arney, Boe, Crist, Darrah, Farr, Fellows, Gillette, Heald, Kimball, Larrabee, Legel, Mattes, Neal, Nye, Ream, Robinson, Smith, Spaulding, Taylor, White—21.

The nays were:

Allen, Balkema, Balluff, Chase, Clarkson, Cowles, Crow, DeWolf, Doran, Dunnegan, Garrett, Hilsinger, Jones, Malmberg, McColl, McManus, Perkins, Quigley, Savage, Schrup, Sheean, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—26.

Absent or not voting:

Francis, Gillette, Jewell—3.

So the motion was lost.

Senator Doran moved the previous question.

Motion prevailed.

Senator Smith moved that the Senate do now adjourn until 9 o'clock A. M., tomorrow.

Senator White moved as a substitute motion that the Senate do now adjourn until 10 o'clock A. M., Monday.

Substitute motion was lost.

Motion of Senator Smith lost.

Senator Chase moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading.

On this motion a roll call was demanded.

Those favoring the motion were:

Allen, Balkema, Balluff, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Heald, Hilsinger, Kimball, Malmberg, Mattes, McColl, McManus, Perkins, Quigley, Savage, Schrup, Sheean, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

Ames, Arney, Boe, Crist, Farr, Fellows, Garrett, Jones, Larrabee, Legel, Neal, Nye, Ream, Robinson, Smith, Spaulding, Taylor —17.

Absent or not voting:

Francis, Gillette, Jewell—3.

So the motion prevailed.

Senator Allen moved that the Senate do now adjourn until 10 o'clock tomorrow.

The president declared the motion out of order as a roll call on the passage of the bill had been ordered.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Balkema, Balluff, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Garrett, Heald, Hilsinger, Kimball, Malmberg, Mattes, McColl, McManus, Nye, Perkins, Quigley, Savage, Schrup, Sheean, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

Ames, Arney, Boe, Crist, Dunnegan, Farr, Fellows, Jones, Larrabee, Legel, Neal, Ream, Robinson, Smith, Spaulding, Taylor—16.

Absent or not voting:

Francis, Gillette, Jewell—3.

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

I move to reconsider the vote by which Senate File No. 111 passed the Senate.

J. H. ALLEN.

I move to reconsider the vote by which Senate File No. 111 was passed to its third reading.

J. H. ALLEN.

I move to reconsider the vote by which the Senate ordered the previous question on Senate File No. 111.

J. H. ALLEN.

Senator Clarkson moved that Senate do now adjourn until 10 o'clock tomorrow.

Motion lost.

Senator Allen demanded a roll call on the motion to adjourn.

Declared out of order, as vote had been announced.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 100, a bill for an act to legalize the election of the city of Des Moines, Iowa, held on the 26th day of March, 1906, in favor of providing flood protection, as well as to legalize all acts done and resolutions passed and contracts entered into by the city council of the city of Des Moines for the improvement of the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high water.

Also:

Senate File No. 29, a bill for an act to transfer to the city of Burlington, Iowa, the title, use and control of a certain island in the Mississippi river near the city of Burlington, Iowa, known as Otter Island.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORTS OF COMMITTEES.

Senator Smith, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate File No. 87, a bill for an act amending the law as it appears in section 2578 of the Supplement to the Code, 1907, relating to revocation of physicians' certificates and defining unprofessional conduct, beg leave to report they have had the same under consideration and recommend the same do pass.

P. M. JEWELL,
Chairman.

Ordered passed on file.

Senator Malmberg, from the committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your committee on Constitutional Amendments, to whom was referred Senate Joint Resolution No. 3, a joint resolution proposing to repeal section one (1) of article two (2) of the constitu-

tion of the state of Iowa and to enact a substitute therefor relating to the right of suffrage, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute, and when so amended that the same be indefinitely postponed:

SUBSTITUTE FOR JOINT RESOLUTION NO. 3.

Joint Resolution Proposing an Amendment to Section One (1) of Article Two (2) of the Constitution of the State of Iowa, Relating to the Right of Suffrage.

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

That the following amendment of the constitution of the state of Iowa be, and the same is hereby proposed and referred to the Thirty-sixth (36) General Assembly of Iowa, viz.:

"That section one (1) of article two (2) of the constitution of the state of Iowa be amended by striking out the word "male" in the first line thereof."

ED. P. MALMBERG,
Chairman.

The substitute joint resolution was read a first and second time.

Senator Allen asked that the joint resolution and report be placed on the calendar and adoption of the report be passed.

Senator Sullivan raised the point of order that Senator Allen was out of order, as there was no motion before the Senate, and moved that Senate adjourn until 9 o'clock A. M., tomorrow.

The president held the point of order well taken, but declared the motion to adjourn out of order, as the senator arose to a point of order.

Senator F. P. Hagemann of the thirty-ninth senatorial district appeared before the bar of the Senate and was duly sworn and subscribed his name to the oath of office as required by law.

Senator Smith filed the following motion:

I move to reconsider the vote on Senate File No. 122, by which the same was indefinitely postponed.

THOS. H. SMITH.

Senator Malmberg moved that the report of the committee on substitute for Senate Joint Resolution No. 3 be adopted.

Senator Malmberg moved that the report of the committee on substitute for Senate Joint Resolution No. 3 be adopted

On the motion a roll call was demanded.

Senator Sullivan moved that the Senate do now adjourn until 10 o'clock A. M., tomorrow.

Senator Schrup moved as a substitute motion that the Senate adjourn until 10 o'clock Monday.

On the adoption of the substitute motion a roll call was demanded.

Those favoring the motion were:

Balkema, Balluff, Cowles, Crow, DeWolf, Fellows, Hagemann, Heald, Kimball, Malmberg, McManus, Perkins, Ream, Savage, Schrup, Sullivan, Thomas, Webber, White, Wilson of Appanoose —20.

The nays were:

Allen, Ames, Arney, Boe, Chase, Crist, Darrah, Doran, Dunnegan, Farr, Garrett, Hilsinger, Jones, Larrabee, Legel, Mattes, McColl, Neal, Nye, Quigley, Robinson, Sheean, Smith, Spaulding, Taylor, Wilson of Clinton—26.

Absent or not voting:

Clarkson, Francis, Gillette, Jewell—4.

So the substitute motion was lost.

The motion of Senator Sullivan that Senate do now adjourn until 10 o'clock tomorrow prevailed.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 22, 1913.

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

Prayer was offered by Rev. James W. Countermine, pastor Cottage Grove Avenue Presbyterian Church, Des Moines, Iowa.

Journal of February 20th was taken up, corrected and approved.

Journal of February 21st was taken up, corrected and approved.

PETITIONS AND MEMORIALS.

Senator Malmberg presented a petition of citizens of Jasper county opposing a permanent tax commission for Iowa.

Referred to committee on Ways and Means.

Senator Ames presented a petition of citizens of Tama county and Benton county opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Perkins presented a petition of citizens of Independence, Iowa, opposing any change that may be made in the three state educational institutions.

Referred to committee on Educational Institutions.

Senator Perkins presented a petition of citizens of Delaware county protesting against the passage of House File No. 130.

Referred to committee on Schools.

Senator Balkema presented a petition of citizens of Sioux county, Iowa, opposing any change in the automobile laws for the state of Iowa.

Referred to committee on Roads and Highways.

Senator Chase presented a petition of citizens of Webster City, Iowa, urging passage of House File No. 364, by Brockway.

Referred to committee on Pharmacy.

Senator Taylor presented a petition of citizens of Van Buren county, Iowa, opposing a tax commission law.

Referred to committee on Ways and Means.

Senator Taylor presented a petition of citizens of Van Buren county and Jefferson county protesting against the passage of House File No. 130.

Referred to committee on Schools.

Senator Ream presented a petition of citizens of Mahaska county opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Heald presented a petition of citizens of Central City, Iowa, opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Robinson presented a petition of citizens of Cerro Gordo county opposing a tax commission.

Referred to committee on Ways and Means.

Senator Thomas presented a petition of citizens of Decatur county, Iowa, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a petition of citizens of Boone county, Iowa, urging passage of the "daylight" saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Larrabee presented a petition of citizens of Webster county opposing the passage of Senate File No. 102.

Referred to committee on Railroads.

Senator Farr presented a petition of members of the school board of Anthon, Iowa, opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Wilson of Clinton presented a petition of teachers in the public schools of Clinton county, Iowa, favoring the state annuity fund bill for teachers; House File No. 161.

Referred to committee on Schools.

Senator Crist presented a petition of citizens of Andrew, Iowa, urging passage of the Powers bill, known as the "daylight" saloon bill.

Referred to committee on Suppression of Intemperance.

Senator McColl presented a petition of citizens of Iowa, now living in San Diego, California, asking for an appropriation to enable the state of Iowa to participate in the Panama-California Exposition.

Referred to committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Mattes, by request, Senate File No. 307, a bill for an act to amend the law as it appears in section one hundred sixteen-a (116-a) of the supplement to the code, 1907, and to repeal the law as it appears in section one hundred sixteen-b (116-b) of the supplement to the code, 1907, providing that all the unused portions of all appropriations shall revert to the general fund at the end of the fiscal year.

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

By Senator Ream, Senate File No. 308, a bill for an act to amend section two thousand four hundred forty-eight (2448) of

the supplement to the code, 1907, two thousand four hundred forty-nine (2449) of the code of 1897, two thousand four hundred fifty-one (2451) of the supplement to the code, 1907, relating to the sale of intoxicating liquors.

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

By Senator Ream, Senate File No. 309, a bill for an act to provide the method of constructing and operating gypsum mines, for escape shafts and for the ventilation of such mines, to provide for the inspection of the same by the state mine inspector, to require operators to report fatal accidents and to provide penalties for violation of this act.

Read first and second time and referred to committee on Mines and Mining.

By Senator Allen, Senate File No. 310, a bill for an act to authorize the appointment of special agents to aid in the detection, identification, capture and conviction of criminals, delinquents and defectives, and to require the co-operation and assistance of all sheriffs, police and peace officers and all other officers charged with the care, supervision and jurisdiction over criminals, delinquents or defectives.

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

By Senator Heald, Senate File No. 311, a bill for an act to amend the law as it appears in section forty-nine hundred ninety-nine-a-four (4999-a-4) of the supplement to the code, 1907, providing for the safety and comfort of laborers and other persons assembled in factories and buildings.

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

By Senator Heald, Senate File No. 312, a bill for an act relating to sentence and commitment of persons convicted of felony and to repeal all acts and parts of acts in conflict therewith.

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

By Senator Heald, Senate File No. 313, a bill for an act to amend section two hundred and sixty-one of the supplement to the code of Iowa, 1907, relating to the removal of causes from the superior courts of the state of Iowa.

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

By Senator Smith, Senate File No. 314, a bill for an act authorizing the city council of Atlantic, Iowa, to transfer to the general fund money realized from a certain sewer tax levy made by said city.

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

REPORTS OF COMMITTEES.

Senator McColl, from the committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your committee on Banks and Banking, to whom was referred Senate File No. 104, a bill for an act to amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850), Supplement to the Code of 1907, relating to the investment of funds by savings banks, beg leave to report they have had the same under consideration and recommend the same do pass.

A. M. McCOLL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Banks and Banking, to whom was referred Senate File No. 30, a bill for an act relating to surety by bank officers on bonds or other evidence of indebtedness and providing for the competency of evidence relating thereto, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. M. McCOLL,
Chairman.

Senator McColl moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Robinson, from the committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your committee on Congressional and Judicial Districts, to whom was referred Senate File No. 39, a bill for an act to amend section two hundred twenty-seven (227) of the Code Supplement of 1907, as amended by the Thirty-fourth General Assembly, and to provide for an additional judicial district and an additional judge for said additional district, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 39.

A BILL FOR AN ACT to Amend Section Two Hundred Twenty-seven (227), Supplement to the Code, 1907, as Amended by the Thirty-fourth General Assembly, and to Provide for an Additional Judicial District and an Additional Judge for the Fourth District.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section two hundred twenty-seven (227), Supplement to the Code, 1907, as amended by the Thirty-fourth General Assembly, be amended by striking out the word "twenty" in the second line of said section and inserting in lieu thereof the word "twenty-one".

SEC. 2. That the fourth subdivision of said section be stricken out, and there be inserted in lieu thereof the following: "The fourth district shall consist of the counties of Woodbury and Monona, and have three judges."

SEC. 3. That section two hundred twenty-seven (227), Supplement to the Code, 1907, as amended by the Thirty-fourth General Assembly, be amended by adding to said section immediately following the twentieth subdivision thereof the following: "The twenty-first district shall consist of the counties of Cherokee, O'Brien, Osceola, Lyon, Sioux and Plymouth, and shall have two judges."

SEC. 4. That the judges now residing in the twenty-first judicial district, as hereby constituted, shall hold office until their terms expire.

SEC. 5. That the judges now residing in the fourth judicial district, as hereby constituted, shall hold office until their terms expire.

SEC. 6. That the vacancy in the said office of district judge in the fourth judicial district, created by this act, shall be filled by appointment by the governor.

SEC. 7. The person so appointed, as provided by section 6 hereof, shall hold office until the general election in 1914, or until his successor is elected and qualified. At the general election in 1914 there shall be chosen a district judge to fill the unexpired portion of the vacancy hereby created.

SEC. 8. At the general election in 1914 three district judges shall be elected in the fourth judicial district, and whose terms of office shall begin on the first day of January after their election.

SEC. 9. 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 at Des Moines, Iowa; and when so amended the bill do pass.

T. J. B. ROBINSON,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Thomas, 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. 37, a bill for an act to amend section five thousand two hundred fifty-six (5256) of the Supplement to the Code, 1907, relating to the appointment and compensation of the clerks of the grand jury, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT to Repeal Section Five Thousand Two Hundred Fifty-Six (5256) of the Supplement to the Code, 1907, Relating to the Appointment, Duties and Compensation of the Clerks of the Grand Jury, and Enacting a Substitute Therefor.

SECTION 1. That section five thousand two hundred and fifty-six (5256) of the Supplement to the Code, 1907, be repealed and the following enacted in lieu thereof:

"The court may appoint as clerk of the grand jury a competent person who is not a member thereof. The following oath must be administered to him: 'You solemnly swear that you will faithfully and impartially perform the duties of clerk of the grand jury, that you will not reveal to any one its proceedings or the testimony given before it and

will abstain from expressing any opinion upon any question before it, to or in the presence or hearing of the grand jury or any member thereof.' Such clerk shall strictly abstain from expressing an opinion upon any question before the body, either to or in the presence or hearing of it or any member thereof, and shall not be present when any vote is being taken upon the finding of an indictment and shall receive compensation at the rate of two dollars ($2.00) per day for time actually and necessarily employed in the performance of the duties prescribed in this chapter. In all counties having a population of more than fifty thousand (50,000) inhabitants, the court may, if it deems it necessary, appoint as clerk of the grand jury a competent shorthand reporter and such clerk shall receive such compensation as may be fixed by the court at the time of the appointment, but said compensation, in counties having a population of less than seventy-five thousand (75,000) inhabitants shall not exceed four dollars ($4.00) per day for each day actually and necessarily employed in the performance of the duties herein defined. In all counties having a population of more than seventy-five thousand (75,000) inhabitants, such clerk shall receive as compensation an annual salary of fifteen hundred dollars ($1,500.00)."

SEC. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa; and when so amended the bill do pass.

C. H. THOMAS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred House Joint Resolution No. 10, a bill for an act amending Senate Joint Resolution No. 1, of the Thirty-fifth General Assembly, relating to the compensation of additional employes of the Thirty-fifth General Assembly, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

That the figure "1" after the word February", in line five (5) of section one (1), be changed to the figures "15"; and when so amended the bill do pass.

C. H. THOMAS,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

The Senate took up for consideration Senate Joint Resolution No. 3, joint resolution proposing to repeal section one (1) of article two (2) of the constitution of the state of Iowa and to enact a substitute therefor relating to the right of suffrage, with report of the committee recommending substitute and indefinite postponement.

Senator Sullivan moved that Senate Joint Resolution No. 3 and House Joint Resolution No. 6 be referred to the committee on Constitutional Amendments.

Senator Clarkson raised the point of order that the Senate by vote having placed House Joint Resolution No. 6 on the calendar, the motion to refer to the committee was out of order.

The president held that the point of order regarding House Joint Resolution No. 6 was well taken, but held the motion to refer Senate Joint Resolution No. 3 in order.

Senator Sullivan asked unanimous consent to withdraw his motion.

Consent refused.

Senator Chase moved that the motion of Senator Sullivan to refer to committee on Constitutional Amendments lay on the table.

On this motion a roll call was demanded.

Senator Allen raised the point of order that the adoption of the motion to lay on the table was out of order.

The president ruled the motion to lay on the table was in order.

Senator Allen appealed from the decision of the president.

On the question, shall the president be sustained, a roll call was demanded.

Those voting aye were:

Ames, Balkema, Balluff, Boe, Chase, Cowles, Crist, Crow, Doran, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Mc-

Manus, Neal, Nye, Perkins, Quigley, Ream, Savage, Schrup, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

Allen, Darrah, Dunnegan, Robinson, Spaulding—5.

Absent or not voting:

Arney, Clarkson, DeWolf, Francis, Jewell, Sheean, Webber—7.

So the ruling of the president was sustained.

On the motion of Senator Chase to lay on the table, the ayes were:

Balluff, Chase, Crow, Doran, Hagemann, Hilsinger, Kimball, Malmberg, Mattes, McManus, Quigley, Savage, Schrup, Sheean, Sullivan, White, Wilson of Clinton—17.

The nays were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crist, Darrah, Dunnegan, Farr, Fellows, Gillette, Heald, Jones, Larrabee, Legel, McColl, Neal, Nye, Ream, Robinson, Smith, Spaulding, Taylor, Thomas, Wilson of Appanoose—26.

Absent or not voting:

Cowles, DeWolf, Francis, Garrett, Jewell, Perkins, Webber—7.

So the motion was lost.

On the motion of Senator Sullivan to re-refer Senate Joint Resolution No. 3 to committee on Constitutional Amendments, a roll call was demanded.

Those favoring the motion were:

Allen, Arney, Balkema, Clarkson, Crist, Crow, Darrah, Dunnegan, Farr, Fellows, Garrett, Gillette, Jones, Larrabee, Legel, Neal, Nye, Ream, Robinson, Smith, Spaulding, Taylor, Thomas, White —24.

The nays were:

Ames, Balluff, Boe, Chase, Cowles, Doran, Hagemann, Heald, Hilsinger, Kimball, Malmberg, Mattes, McColl, McManus, Quigley, Savage, Schrup, Sheean, Sullivan, Wilson of Appanoose, Wilson of Clinton—21.

Absent or not voting:

DeWolf, Francis, Jewell, Perkins, Webber—5.

So the motion prevailed, and Senate Joint Resolution No. 3 was re-referred to committee on Constitutional 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 amended and passed the following bill, in which the concurrence of the House was asked:

Substitute for Senate File No. 85, a bill for an act to repeal section 793 of the Code, relating to street improvements and to enact a substitute therefor.

A. C. GUSTAFSON,
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. 47, a bill for an act to legalize the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and certain acts done and ordinances passed by the city council of said city.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate File No. 61, a bill for an act to provide additional funds for the Soldiers' Home, Industrial School for Boys, Industrial School for Girls, the State Penitentiary and the Reformatory.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate Concurrent Resolution relative to the adoption of joint rules of the Thirty-fourth General Assembly as joint rules of the Thirty-fifth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Concurrent Resolution relative to a joint convention of the Senate and House to be held in the House of Representatives on March 6 at 1 o'clock P. M. for the purpose of hearing addresses by Edwin G. Cooley and others on vocational training.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 repeal and amend certain paragraphs of section 1087 of the Code and to enact substitutes therefor, relating to nomination of candidates for president and vice president of the United States and of the election of party national committeemen.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 155, a bill for an act to amend sections 3146 and 3147 of the Code, relative to the time for making return of solemnization of marriage.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 8, a bill for an act prohibiting the marriage of white persons with those of African descent and prescribing a penalty for the violation thereof.

A. C. GUSTAFSON,
Chief Clerk.

By unanimous consent the following house concurrent resolution was considered:

HOUSE MESSAGES CONSIDERED.

HOUSE CONCURRENT RESOLUTION.

WHEREAS: By authority of a concurrent resolution an invitation has been extended to Edwin G. Cooley of Chicago to address a joint convention of the Senate and House; and,

WHEREAS: It having been ascertained that Mr. Cooley can be with us on March 6; therefore,

Be it resolved by the House, the Senate concurring, That a joint convention of the Senate and House be held in the hall of the House of Representatives on March 6 at one o'clock P. M. for the purpose of hearing addresses by Edwin G. Cooley and others on the subjects of vocational training and continuation schools.

Senator Boe moved that the Senate concur in House concurrent resolution.

Carried.

Concurrent resolution relative to the adoption of the joint rules of the Thirty-fifth General Assembly.

HOUSE AMENDMENT.

16. No bills except appropriation bills shall be considered during the last two days of the session.

Senator Perkins moved the Senate concur in the House amendment.

Senator Balluff offered the following amendment and moved its adoption:

Amend rule 16 adopted by the House, by adding thereto the following:

"Except where unanimous consent has been given by the body in which any bill shall originate."

Adopted.

The House amendment as amended was adopted.

On motion, Joint Rule 16 was adopted by the Senate.

Senator Wilson moved that the Senate request the recall of House File No. 48 from the House.

Carried.

THIRD READING OF BILLS.

On motion of Senator Smith, Senate File No. 117, a bill for an act to amend sections 1087-a-4 of the supplement to the code of 1907, as amended by section one (1) of chapter fifty-eight (58) acts of the Twenty-fourth General Assembly in relation to the time of holding primary elections, and section 1087-a-19, relating to canvass by board of supervisors, and section 1087-a-25, relating to holding of county convention, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Neal offered the following amendments and moved their adoption:

Amend by striking out all after the enacting clause and insert the following:

SECTION 1. The law as it appears in section ten hundred eighty-seven-a-four (1087-a-4), Supplement to the Code, 1907, as amended by chapter fifty-eight (58) of the acts of the Thirty-fourth (34) General Assembly, be and the same is hereby amended by striking out the words "first Monday in June" in line four of said section, and by inserting in lieu thereof the words "last Monday in August".

SEC. 2. That the law as it appears in section ten hundred eighty-seven-a-seven (1087-a-7), Supplement to the Code, 1907, be and the same is hereby amended by striking out of line four of said section the words "in June".

SEC. 3. That the law as it appears in section ten hundred eighty-seven-a-ten (1087-a-10), Supplement to the Code, 1907, be and the same is hereby amended by striking out the word "June" and inserting in lieu thereof the word "August" wherever the word "June" appears in said section.

SEC. 4. That the law as it appears in section ten hundred eighty-seven-a-nineteen (1087-a-19), Supplement to the Code, 1907, be and the same is hereby amended by striking out of line two of said section the words "in June".

SEC. 5. That the law as it appears in section ten hundred eighty-seven-a-twenty-two (1087-a-22), Supplement to the Code, 1907, be and the same is hereby amended by striking from said section the word "June" in line two thereof.

Declared out of order, as the substitute had not been adopted.

Senator Smith offered the following substitute for the bill and moved its adoption:

SUBSTITUTE FOR SUBSTITUTE FOR SENATE FILE NO. 117.

A BILL FOR AN ACT to Repeal Section One Thousand Eighty-seven-a-Four (1087-a-4), Supplement to the Code, 1907, as Amended by Chapter Fifty-eight (58) of the Acts of the Thirty-fourth (34th) General Assembly, and to Enact a Substitute Therefor, and Amend Section One Thousand Eighty-seven-a-Nineteen (1087-a-19) of the Supplement to the Code, 1907, as Enacted in Chapter Fifty-nine (59) of the Acts of the Thirty-fourth General Assembly, and to Amend Section One Thousand Eighty-seven-a-Twenty-five (1087-a-25) of the Supplement to the Code, 1907, as Amended by Chapter Sixty-nine (69) of the Acts of the Thirty-third General Assembly, All Relating to the Holding of Primary Elections by Political Parties.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section one thousand eighty-seven-a-four (1087-a-4) of the Supplement to the Code, 1907, as amended by chapter fifty-eight (58) of the acts of the Thirty-fourth General Assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

The primary election herein provided for shall consist of an election by all political parties and shall be held at the usual voting places of the several precincts on the second Monday in September, in the year nineteen hundred fourteen (1914) and biennially thereafter, for the nomina-

tion of candidates for such offices as are to be filled at the general election in November next ensuing, (except candidates for the office of judge of the supreme, district and superior courts), for senator in the congress of the United States in the next year preceding the filling of that office by the General Assembly, and for the electors of the president and vice president of the United States, in the year in which a president and vice president are to be elected.

SEC. 2. That section one thousand eighty-seven-a-nineteen (1087-a-19) of the Supplement to the Code, 1907, as enacted in chapter fifty-nine (59) of the acts of the Thirty-foruth General Assembly, be and the same is hereby amended by striking from the sixth line of section one of said chapter fifty-nine of the acts of the Thirty-fourth General Assembly the word "June", and substituting therefor the word "September".

SEC. 3. That section one thousand eighty-seven-a-twenty-five (1087-a-25) of the Supplement to the Code, 1097, as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, be and the same is hereby amended by striking from said section fourteen (14) of chapter sixty-nine (69) of the acts of the Thirty-third General Assembly the word "fourth", and inserting in lieu thereof the word second".

Senator Jones moved that the bill with substitutes be re-referred to the committee on Elections for further consideration.

Carried.

REPORTS OF COMMITTEE.

Senator Sullivan, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 245, a bill for an act to amend section eight hundred and twenty (820) of the Code, fixing time in which the city council or board of public works, where such board exists, shall ascertain the cost and prepare the assessment, plat and schedule relative to the special assessment of property for the making or reconstruction of street improvements, beg leave to report they have had the same under consideration and recommend the same be amended by striking out the word "ten" in the fourth (4th) line thereof and insert in lieu thereof the word "twenty", and by striking out section 2, the publication clause; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 231, a bill for an act to amend the law as it appears in chapter eighty-three (83), acts of the Thirty-third General Assembly, relating to the issuance of bonds in cities and towns, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT to Amend the Law as it Appears in Chapter Eighty-three (83), Acts of the Thirty-third (33d) General Assembly, Relating to the Issuance of Bonds in Cities and Towns.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the law as it appears in chapter eighty-three (83) of the acts of the Thirty-third (33d) General Assembly, be and the same is hereby amended, by striking from said section all of that part thereof following the word "majority" in the first line of said section down to and including the word "more", and inserting after the comma following the word "election" in the third (3d) line of said section, the words "provided said affirmative vote be as large as a majority of all the votes cast at the last preceding municipal election"; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 96, a bill for an act to amend section 792-b of the Supplement to the Code, 1907, in relation to the payment of deficiencies in assessments for street improvements and sewers, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 210, a bill for an act to amend the law as it appears in sections ten hundred fifty-six-a-twenty-five and ten hundred fifty-six-a-twenty-six (1056-a-25 and 1056-a-26) of the Supplement to the Code, 1907, as amended, and to provide for the appointment and powers of library trustees in certain cities, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Larrabee, Senate File No. 315, a bill for an act to amend section nineteen hundred eighty-nine-a-thirty-four (1989-a-34) supplement to the code, 1907, requiring contractors to furnish proof of payment for material and labor on public drainage improvements before receiving final payment.

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 100, a bill for an act to legalize the election of the city of Des Moines, Iowa, held on the 26th day of March, 1906, in favor of providing flood protection, as well as to legalize all acts done and resolutions passed and contracts entered into by the city council of the city of Des Moines for the improvement of the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high water.

Also:

Senate File No. 29, a bill for an act to transfer to the city of Burligton, Iowa, the title, use and control of a certain island in the Mississippi river near the city of Burlington, Iowa, known as Otter Island.

JOHN H. TALYOR,
Chairman Senate Committee.
W. W. ANDERSON,
Chairman House Committee.

Adopted.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 29 and 100.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 100, a bill for an act to legalize the election of the city of Des Moines, Iowa, held on the 26th day of March, 1906, in favor of providing flood protection, as well as to legalize all acts done and resolutions passed and contracts entered into by the city council of the city of Des Moines for the improvement of the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high water.

Also:

Senate File No. 29, a bill for an act to transfer to the city of Burlington, Iowa, the title, use and control of a certain island in the Mississippi river near the city of Burlington, Iowa, kown as Otter Island.

JOHN H. TAYLOR,
Chairman.

Passed on file.

Upon request of Senator Ream, unanimous consent was given to read the following communication, which was ordered printed in the Journal:

"Hard, hard, indeed, was the contest for freedom, and the struggle for independence. The golden sun of liberty had nearly set in the gloom of an eternal night ere its radiant beams illumined our western horizon. Had not the tutelar saint of Columbia hovered round the American camp and presided over its destinies, freedom must have met with an untimely grave. Never can we duly appreciate the merits of a Washington, who with but a handful of undisciplined yeomanry triumphed over a royal army and prostrated the lion of England at the feet of the American eagle. His name—so terrible to his foes, so welcome to his friends—shall live forever upon the brightest page of the historian and be remembered with the warmest emotions of gratitude and pleasure by those whom he contributed to make happy; and by all mankind when kings and nobles for ages shall have sunk into their merited oblivion. Unlike them he needs not the assistance of the architect or the sculptor to perpetuate his memory. His deeds—his worthy deeds—alone have rendered him immortal."

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

On request of Senator Farr, leave of absence was granted Senator Webber for the day.

Senator Kimball moved that the Senate do now adjourn until 10 o'clock A. M., Monday.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 24, 1913.

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

Prayer was offered by Rev. Samuel Conybeare, Cedar Rapids, Iowa.

PETITIONS AND MEMORIALS.

Senator Fellows presented a petition of citizens of Allamakee county, Iowa, opposing any change in the present school laws.

Referred to committee on Schools.

Senator Fellows presented a petition of citizens of Allamakee county, Iowa, urging passage of House File No. 364.

Referred to committee on Pharmacy.

Senator Robinson presented a petition of citizens of Meservey, Iowa, urging passage of House File No. 364.

Referred to committee on Pharmacy.

Senator Thomas presented a petition of citizens of Decatur county, Iowa, opposing any change in our revenue system which are proposed under the name of permanent tax commission.

Referred to committee on Ways and Means.

Senator Nye presented a petition of citizens of Sharpsburg, Iowa, urging passage of House File No. 364.

Referred to committee on Pharmacy.

Senator Smith presented a petition of citizens of Cass county, Iowa, opposing passage of House File No. 262, by Craig, and Senate File No. 131, by Chase.

Referred to committee on Schools.

Senator Smith presented a petition of citizens of Cass county opposing the Iowa state highway commission.

Referred to committee on Roads and Highways.

Senator Boe presented a petition of delegates of the Iowa Conference of the Augustana Synod asking the passage of Senate File No. 211.

Referred to committee on Schools.

Senator Boe presented a petition of citizens of Worth county asking the enactment of a law providing a bounty on crows.

Referred to committee on Agriculture.

Senator McColl presented a petition of citizens of Dallas county, Iowa, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Clarkson presented a petition from the United Mine Workers, located at Hocking, Iowa, favoring the Clarkson compensation bill, known as Senate File No. 3.

Referred to committee on Judiciary.

Senator Clarkson presented a petition of citizens of Pella, Iowa, opposing a permanent tax commission for Iowa.

Referred to committee on Ways and Means.

Senator Clarkson presented a petition signed by the executive board of the United Mine Workers of America, District No. 13, asking the enactment of a statute requiring the boards of managers of Iowa institutions to purchase their fuel supply from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Taylor presented a petition of citizens of Jefferson county asking that there be no change in the law with reference to the distribution of school books.

Referred to committee on Schools.

Senator Taylor presented a petition of citizens of Van Buren county, Iowa, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Clinton presented a petition of citizens of Goose Lake, Iowa, asking for an appropriation from the general funds a sum sufficient to amply equip the state veterinarian's department to fight hog cholera.

Referred to committee on Agriculture.

Senator Ames presented a petition from the Corn Belt Meat Producers' Association opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Sullivan presented a petition of members of Local Union No. 1683, of the United Mine Workers of America, asking the enactment of a statute requiring the boards of managers of Iowa institutions to purchase their fuel supply from Iowa industries.

Referred to committee on Board of Control and its Institutions.

INTRODUCTION OF BILLS.

By Senator Webber, Senate File No. 316.

A BILL FOR AN ACT to Legalize the Adoption of Certain Propositions at an Election of the County of Wapello, State of Iowa, With the Effect of Authorizing the Board of Supervisors of Said County to Purchase Land for an Addition to the County Home Farm of Said County, and to Incur Indebtedness for the Purchase of Such Land, and to Levy a Continuing Annual Tax to Provide for the Payment of Such Indebtedness.

WHEREAS: On the thirteenth day of November, 1911, the board of supervisors of the county of Wapello, state of Iowa, adopted a resolution providing that the purchase of said described land for an addition to the County Farm of said county at the price of $10,925, be submitted to the voters of said county at the next annual election, as provided by law; and,

WHEREAS: Pursuant to notice, at said general election held on the fifth day of November, 1912, there were submitted to the voters of said county the proposition to purchase the aforesaid land for an addition to the County Home Farm for the sum of $10,925, and the proposition to

issue bonds of said county to the amount of $11,000, for the purpose of raising the necessary sum to purchase the aforesaid land for an addition to the County Home Farm, and to levy a tax to pay said bonds and interest at a rate not to exceed one per cent on the county valuation in one year, the rate of such tax being such as to pay the said debt incurred by the issuance of said bonds in a period not exceeding ten years; and,

WHEREAS: Doubts have arisen as to whether the aforesaid propositions were properly ordered submitted to the voters, and respecting the legality and regularity of the proceedings of the board of supervisors leading up to said election, of the notice of said election, and of the propositions submitted at said election, and respecting the authority vested in said board of supervisors by said election; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the proceedings of the board of supervisors in ordering the submission of the County Home propositions at the general election November 5, 1912, and canvassing the results of the vote on said propositions, and the notice of said election and of the propositions submitted thereat, be and the same are hereby legalized, and the adoption of said propositions by the voters of said county as herein recited be and the same is hereby legalized and declared to have the following force and effect:

First. To authorize the board of supervisors of said county to purchase the land referred to in said propositions for an addition to the County Home Farm of said county, at the price of $10,925.

Second. To authorize said board of supervisors to pay for said land with any money in the treasury of said county not otherwise appropriated, or to incur indebtedness for the purchase of aforesaid land for aforesaid purpose, and to execute warrants to evidence such indebtedness.

Third. To authorize said board of supervisors, if such indebtedness be incurred, to levy a tax, at a rate not to exceed one per centum of the assessed valuation of the taxable property within said county in any one year, to pay and discharge said indebtedness and the interest thereon, said tax to be levied annually and the rate thereof to be such as to pay said indebtedness and the interest thereon in a period not exceeding ten years.

SEC. 2. 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 at Des Moines, Iowa, and the ....., a newspaper published at Ottumwa, Iowa, said publications to be without expense to the state.

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

By Senator Spaulding, Senate File No. 317, a bill for an act to amend the law as it appears in section two hundred sixty-one (261) supplement to the code, 1907, relating to the removal of causes in superior courts.

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

By Senator Spaulding, Senate File No. 318, a bill for an act to amend the law as it appears in section two hundred sixty-nine (269) of the code, and repealing section two hundred seventy (270) of the code and enacting a substitute in lieu thereof, relating to juries in superior courts.

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

By Senator Dunnegan, Senate File No. 319, a bill for an act to amend the law as it appears in section eight hundred twenty-three (823), supplement to the code, 1907, as amended by chapter forty-two (42), acts of the Thirty-fourth General Assembly, relating to street improvements and sewers.

Read first and second time and referred to committee on Cities and Towns.

By Senator Heald, Senate File No. 320, a bill for an act to amend section two thousand five hundred forty (2540) of the code, relating to the propagation of fish and the protection of birds and game.

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

By Senator Heald, Senate File No. 321, a bill for an act amending section two thousand one hundred fifty-seven-g (2157-g) of the supplement to the code, 1907, relating to the free issuing of transportation by common carriers of passengers in certain cases.

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

By Senator Arney, Senate File No. 322, a bill for an act to promote patriotism and to provide for the display of the flag

of the United States of America upon public buildings of the state and within certain public buildings of the state.

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

By Senator McManus, Senate File No. 323, a bill for an act to amend section eight hundred sixteen (816) of the code, amendatory and additional to section eight hundred sixteen (816) of the code, relating to lien of tax.

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. 105, a bill for an act to provide for the payment of bounties for killing crows (additional to section 2348 of the Code).

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 relating to stop cocks and stop valves in pipes supplying gas to buildings by any firm, corporation, etc., and authorizing city and town councils, including cities under special charter, to prescribe the kind of same by ordinance, and providing a penalty for failure to comply with provisions of this act.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House Joint Resolution No. 1, proposing to amend the constitution so as to provide for the taxing of incomes, privileges, and occupations and providing that such taxes may be graduated and progressive and providing for reasonable exemptions.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House File No. 105, a bill for an act to provide for the payment of bounties for killing crows.

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

House File No. 29, a bill for an act to provide for the installation of stopcocks and stopvalves in pipes supplying gas to buildings, by any firm, corporation or association supplying same, and authorizing city and town councils, including cities under special charter and those acting under commission form of government to prescribe the kind, character and location of same by ordinances and providing a penalty for failure to comply with the provisions of this act.

Read first and second time and referred to committee on Cities and Towns.

HOUSE JOINT RESOLUTION NO. 1.

Joint Resolution Proposing to Amend the Constitution so as to Provide for the Taxing of Incomes, Privileges, and Occupations and Providing that Such Taxes May be Graduated and Progressive and Providing for Reasonable Exemptions.

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

That the following amendment to the constitution of the state of Iowa be and the same is hereby proposed: There shall be submitted to the qualified electors of the state of Iowa the following constitutional amendment, which, when ratified by a majority of those voting thereon, shall be valid as a part of the constitution:

SECTION 1. That article seven (7) of the constitution of the state of Iowa be amended by adding thereto one section, to be numbered section eight (8), and to read as follows: "Section 8. Taxes shall be levied upon such property as the legislature shall prescribe. Taxes may also be imposed on incomes, privileges, and occupations, which taxes may be graduated and progressive and reasonable exemptions may be provided."

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

Substitute for Senate File No. 47, a bill for an act to legalize the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and all acts done and ordinances passed by the city council of said city.

House amendment: Amend by striking out the word "daily" in the third line of the publication clause.

Passed on file.

House File No. 155, a bill for an act amending sections three thousand one hundred forty-six (3146) and three thousand one hundred forty-seven (3147) of the code, relative to the time for making return of solemnization of marriage.

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

Senate File No. 61, a bill for an act to provide additional funds for the Soldiers' Home, the Industrial School for Boys, the Industrial School for Girls, the state penitentiary and the reformatory.

HOUSE AMENDMENT.

SECTION 1. Be amended by striking out of line four (4) the words "thirty-nine" and insert in lieu thereof the words "thirty-four". Also strike from line seven (7) the figures four thousand (4000) and insert in lieu thereof the figures fifteen hundred (1500); also strike from line nine (9) the figures six thousand (6000) and insert in lieu thereof the figures thirty-five hundred (3500).

Passed on file.

Substitute for Senate File No. 85, a bill for an act to amend section seven hundred and ninety-three (793) of the code relating to street improvements, sewers and special assessments.

House amendment: Amend section one by striking from line one immediately following the word "code" the following words and figures: "of 1897".

Passed on file.

House File No. 273, a bill for an act to repeal section ten hundred eighty-seven-a-one (1087-a-1) of the supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, and to enact a substitute therefor; to repeal section ten hundred eighty-seven-a-ten (1087-a-10) of the supplement to the code, 1907, as amended by chapter

sixty-nine (69) of the acts of the Thirty-third General Assembly, and to enact a substitute therefor; to repeal section ten hundred eighty-seven-a-twenty-seven (1087-a-27) of the supplement to the code, 1907, as amended by section sixteen (16) of chapter sixty-nine (69) of the acts of the Thirty-third General Assembly; to amend section ten hundred eighty-seven-a-fourteen (1087-a-14) of the supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly; and to amend section ten hundred eighty-seven-a-twenty (1087-a-20) of the supplement to the code, 1907, and to amend section ten hundred eighty-seven-a-twenty-five (1087-a-25) of the supplement to the code, 1907, as amended by section fourteen (14) of chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, relating to the nomination of candidates for president and vice-president of the United States and of the election of party national committeemen.

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

House File No. 8, a bill for an act to prohibit the marriage of white persons with those of African descent and prescribing a penalty for the violation thereof.

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

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Sullivan, Senate File No. 324, a bill for an act to amend the law as it appears in chapter fourteen-c (14-c) of title V of the 1907 supplement to the code, as amended by chapter sixty-four (64) of the acts of the Thirty-third General Assembly, and chapters fifty-two (52) and fifty-five (55) of the acts of the Thirty-fourth General Assembly, relating to the government of certain cities and conferring additional powers upon such cities.

Read first and second time and referred to committee on Cities and Towns.

By Senator Sullivan, Senate File No. 325, a bill for an act to amend section two thousand nine hundred thirty (2930) of the nineteen hundred seven (1907) supplement to the code of Iowa relating to the platting and transferring of real estate.

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

REPORTS OF COMMITTEE.

Senator Hilsinger, from the committee on Board of Control and its Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Board of Control and its Institutions, to whom was referred Senate File No. 196, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-seven-a-eighty-five (2727-a-85) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the support of the State Sanatorium for the Treatment of Tuberculosis, beg leave to report they have had the same under consideration and recommend the same be referrd to the committee on Appropriations with recommendation that the same do pass.

G. E. HILSINGER,
Chairman.

Senator Hilsinger moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Board of Control and its Institutions, to whom was referred Senate File No. 226, a bill for an act to repeal the law as it appears in sections 2691 and 2692 of the Supplement to the Code, 1907, and to enact a substitute therefor to provide for the support of the Iowa Soldiers' Orphans' Home, beg leave to report they have had the same under consideration and refer the same to the committee on Appropriations with recommendation that the same do pass.

G. E. HILSINGER,
Chairman.

Senator Hilsinger moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Board of Control and its Institutions, to whom was referred Senate File No. 230, a bill for an act to appropriate money toward the expense of paving east Washington street

in the city of Mount Pleasant, Iowa, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Appropriations with recommendation that the same do pass.

G. E. HILSINGER,
Chairman.

Senator Hilsinger moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Board of Control and its Institutions, to whom was referred Senate File No. 161, a bill for an act in relation to the government and discipline of the State Hospital for Inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates, authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation for labor, beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Board of Control and its Institutions, to whom was referred Senate File No. 164, a bill for an act to prevent and punish interfering with and enticing from any state institution or home or place of employment any ward of the state and providing for the punishment of violation of the act, beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Senator Clarkson of the conference committee on Senate File No. 4 submitted the following report and moved its adoption:

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

Your Conference committee to adjust the differences of the Senate and House on Senate File No. 4, relating to bonded indebtedness of school corporations, repealing section twenty-eight hundred thirteen (2813), Supplement to the Code, 1907, and enacting a substitute therefor, after fully and freely conferring, beg leave to report and recommend the following:

First: That the Senate reconsider the vote by which Senate File No. 4 passed the Senate and the vote by which said bill passed to its third reading.

Second: That the House reconsider the vote by which Senate File No. 4 as amended by the House, be reconsidered, and by which the bill as amended passed to its third reading, and the vote by which the Senate File No. 4 was amended by the House.

Third: That we herewith as a part of our report present a substitute for Senate File No. 4 and recommend its adoption.

JOHN T. CLARKSON,
CLAM F. KIMBALL,
NICHOLAS BALKEMA,
CHAS. H. THOMAS,
Conferees on the part of the Senate.

M. F. LEROY,
GERRIT KLAY,
J. H. STUTT,
U. G. WHITNEY.
Conferees on the part of the House.

Adopted.

SUBSTITUTE FOR SENATE FILE NO. 4.

A BILL FOR AN ACT to Repeal Section Twenty-eight Hundred Thirteen 2813), Supplement to the Code, 1907, and Enacting a Substitute Therefor, Relating to Bonded Indebtedness of School Corporations.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section twenty-eight hundred thirteen (2813), Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

The board of each school corporation shall, when estimating and certifying the amount of money required for general purposes, estimate and certify to the board of supervisors of the proper county, the amount required to pay interest due or that may become due for the year beginning January first thereafter, upon lawful bonded indebtedness and in addition thereto such amount as the board may deem necessary to apply on

the principal; but the amount estimated and certified to apply on principal and interest for any one year shall not exceed five (5) mills on the dollar of the actual valuation of the taxable property of the school corporation.

SEC. 2. The board of supervisors of the county to which the certificate is addressed within the contemplation of this act shall levy the necessary tax to raise the amount estimated, or so much thereof as may be lawful and within the limitation of this act, which levy shall be made as other taxes for school purposes.

SEC. 3. This act shall apply to estimates heretofore made, certificates furnished, or taxes levied, together with such as may hereafter be made, furnished or levied for the purposes contemplated by this act; but this act shall not apply to 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 the city of Des Moines, Iowa.

Substitute for Senate File No. 4 read first and second time.

Senator Clarkson moved that substitute for Senate File No. 4 be considered at this time.

Carried.

THIRD READING OF BILLS.

On motion of Senator Clarkson, Senate File No. 4, a bill for an act to repeal section twenty-eight hundred thirteen (2813) supplement to the code, 1907, and enacting a substitute therefor relating to bonded indebtedness of school corporations, was taken up and considered.

Unanimous consent was given to reconsider the vote by which Senate File No. 4 passed the Senate.

Motion to reconsider carried.

Senator Clarkson moved that the rule by which no bill shall be read a second and third time the same day be suspended.

Carried.

The substitute was read for information.

Further consideration of the bill was postponed.

On motion of Senator Wilson of Clinton, substitute for Senate File No. 47, a bill for an act to legalize the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and all acts done and ordinances passed by the city council of said city, was taken up and considered.

Senator Wilson moved that the Senate concur in the following House amendment:

Amend by striking out the word "daily" in the third line of the publication clause.

On the question, "Shall the Senate concur in the House amendment?" the ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—45.

The nays were:

None.

Absent or not voting:

Crist, Francis, Jewell, Savage, White—5.

So the House amendment having received a constitutional majority was declared concurred in by the Senate.

On motion of Senator Clarkson, Senate File No. 6, a bill for an act to amend section one (1) chapter one hundred six (106), acts of the Thirty-fourth General Assembly, relating to the appointment of mine inspectors, was taken up and considered.

Senator Clarkson offered the following amendment and moved its adoption:

I move to amend the pending bill by striking out the word "six" and figure "6", as the same appear in the substituted bill printed in Senate Journal, page 372, line 6, and substitute therefor the word "four" and figure "4".

Adopted.

Senator Balluff offered the following amendment and moved its adoption:

I move to amend Senate File No. 6 by striking out of the eighth line of the bill as printed on page 372 of the Senate Journal, the words "fourth day of July, 1913," and insert in lieu thereof the words "first day of March, 1915."

Lost.

The bill was read for information.

Senator Clarkson moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Garrett, Hagemann, Heald, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Ream, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—35.

The nays were:

Arney, Balkema, Balluff, Chase, Hilsinger, Quigley, Schrup—7.

Absent or not voting:

Farr, Francis, Gillette, Jewell, Jones, Savage, Sheean, Wilson of Clinton—8.

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

The time having arrived for special order, the Senate took up for consideration House File No. 135, a bill for an act to amend the law as it appears in chapter sixty-four (64) acts of the Thirty-third General Assembly relating to the government of certain cities.

By unanimous consent the amendment offered by Senator Darrah on the 21st was withdrawn.

Senator Darrah offered the following amendment and moved its adoption:

I move to amend by striking out subdivision one (1) of section three (3) and inserting the following as subdivision one (1): In cities and towns having by the last preceding state or national census a population of not less than 2,000 or more than 10,000, the mayor shall receive $100.00 for each 1,000 population or major portion thereof and the councilmen one-half of this amount. And also by inserting as subdivision two (2) of section three (3) the following: In cities having by their last preceding state or national census a population of not less than 10,000 or more than 15,000 the mayor shall receive $100.00 for each 1,000 population or major portion thereof, and the councilmen four-fifths of this amount, and by renumbering the subdivisions in section three (3) as one (1), two (2), three (3), four (4), five (5) and six (6).

Lost.

Senator Ames offered the following amendments and moved their adoption:

Amend subdivision one (1) of section 3 by striking out 2,000 and inserting in lieu thereof 1,000, and other changes to conform thereto.

I move to strike out the word "two" in the last line of section 1 and insert the word "one".

Amendments withdrawn by unanimous consent.

Senator Webber offered the following amendment and moved its adoption:

I move that the substitute bill as printed on page 401 of the Senate Journal be amended by striking out all of subdivision two (2) of section three (3).

Lost.

Senator Kimball moved the bill be recommitted to the committee on Cities and Towns.

Senator Gillette moved the previous question.

Carried.

On the motion to recommit, a roll call was demanded.

Those favoring the motion were:

Balkema, Balluff, Boe, Chase, Cowles, Crist, Farr, Fellows, Hagemann, Heald, Hilsinger, Kimball, Legel, Perkins, Quigley, Ream, Schrup, Webber, Wilson of Appanoose—19.

The nays were:

Allen, Ames, Arney, Clarkson, Crow, Darrah, DeWolf, Doran, Dunnegan, Garrett, Gillette, Jones, Larrabee, Malmberg, Mattes, McManus, Neal, Nye, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Clinton—27.

Absent or not voting:

Francis, Jewell, McColl, Savage—4.

So the motion was lost.

Senator Taylor offered the following amendment and moved its adoption:

I move to amend division one (1) of section three (3) and division two (2) of section three (3) by striking out the words "the councilmen" and inserting in lieu thereof the words, "each councilman".

Adopted.

The substitute bill was read for information.

Senator Spaulding moved that the substitute for the original bill be adopted.

Carried.

Senator Spaulding moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—36 .

The nays were:

Perkins, Quigley, Ream, Webber, White—5.

Absent or not voting:

Balluff, Chase, Cowles, Farr, Francis, Heald, Jewell, Savage, Schrup—9.

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

Senator Spaulding moved that the Senate reconsider the vote by which House File No. 135 passed the Senate and that the motion to reconsider lay on the table.

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 herewith returns as requested House File No. 48, a bill for an act to amend section 615 of the Supplement to the Code, 1907, relative to the extension of the limits of cities and towns.

A. C. GUSTAFSON,
Chief Clerk.

Senator Crist moved that 600 additional copies of Senate File No. 306 be printed.

Carried.

Senator Legel moved that 500 additional copies of Senate File No. 132 be printed.

Carried.

On request of Senator Heald, leave of absence was granted Senator Savage for the day.

Senator Taylor 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, FEBRUARY 25, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. Edwin C. McDade, Harlan, Iowa.

PETITIONS AND MEMORIALS.

Senator Wilson of Clinton presented a petition of citizens of Clinton, Iowa, protesting against House File No. 369 and House File No. 388, providing for compulsory medical inspection of school children.

Referred to committee on Schools.

Senator Smith presented a petition of citizens of Cass county, Iowa, protesting against the passage of House File No. 262 and Senate File No. 131, relating to change in school books.

Referred to committee on Schools.

Senator Robinson presented a petition of citizens of Hancock county protesting against Senate File No. 131 for county uniformity of school text books.

Referred to committee on Schools.

Senator Robinson presented a petition of citizens of Franklin county objecting to passage of a bill known as House File No. 130, abolishing office of school treasurer.

Referred to committee on Schools.

Senator Robinson presented a petition of citizens of Mason City favoring automobile accident insurance.

Referred to committee on Judiciary.

Senator Hagemann presented a petition of citizens of Bremer county objecting to House File No. 262 and Senate File No. 131, in regard to school text books.

Referred to committee on Schools.

Senator Hagemann presented a petition of citizens of Butler county opposing the abolishment of the office of school treasurer, House File No. 130.

Referred to committee on Schools.

Senator Doran presented a petition of members of the United Mine Workers of America, District No. 13, requesting the enactment of a statute requiring the boards of managers of Iowa institutions to purchase their fuel supply from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Ream presented a petition of citizens of Mahaska county opposing a permanet tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator McColl presented a petition of residents of Iowa, now living in San Diego, Cal., asking for an appropriation that will enable the state of Iowa to participate in the Panama-California Exposition.

Referred to committee on Appropriations.

Senator Hilsinger presented a petition by the veterans of the Jackson County Association relative to free transportation to and from the fiftieth anniversary of the battle of July 4th at Gettysburg, for old soldiers in the state of Iowa.

Referred to committee on Military.

Senator Allen presented a petition of citizens of Humboldt county objecting to any change in the present school laws.

Referred to committee on Schools.

Senator Allen presented a petition of citizens of Pocahontas county opposing the passage of House File No. 262 and Senate File No. 131, relating to uniformity of text books for schools.

Referred to committee on Schools.

Senator Allen presented a petition of citizens of Rutland, Bradgate and Humboldt opposing a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By committee on Roads and Highways, Senate File No. 326, a bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission. To create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employers with reference thereto. To fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, relating to highway commission, and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund.

Read first and second time and placed on the calendar.

By Senator Boe, by request, Senate File No. 327, a bill for an act to amend section two thousand seventy-seven (2077) of the supplement to the code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state, at which fairs or expositions are or may hereafter be held.

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

By Senator Doran, by request, Senate File No. 328, a bill for an act to confirm the title of Anna L. Edgar to the west one-half (w½) of the southwest quarter (sw¼) of section two (2), township eighty-nine (89), north, range thirty-four (34), west fifth P. M., Iowa, and authorize the issuance of a patent therefor.

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

PETITIONS AND MEMORIALS.

Senator Allen presented a petition of citizens of Storm Lake urging the passage of a law to prohibit dancing in connection with high school functions.

Referred to committee on Schools.

Senator Taylor presented a petition of citizens of Van Buren county objecting to a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Appanoose presented a petition of the United Mine Workers of America, District No. 13, protesting against the purchase of coal from outside mines.

Referred to committee on Board of Control and its Institutions.

Senator Wilson of Appanoose presented a petition of members of Local Union No. 812, United Mine Workers of America, asking the passage of Senate File No. 3, known as the workmen's compensation bill.

Referred to committee on Judiciary.

Senator Taylor presented a petition of citizens of Van Buren county, Iowa, opposing the establishment of a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

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. 86, a bill for an act to amend section 227 of the Supplement to the Code, 1907, as amended by the Thirty-fourth General Assembly and to provide for an additional judicial district and an additional judge for the fourth judicial district.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 236, a bill for an act legalizing the adoption, signing, recording and publication of the ordinances of the city of Bedford, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Webber presented a petition of United Mine Workers of America, District No. 13, protesting against the purchase of coal from outside mines.

Referred to committee on Board of Control and its Institutions.

Senator McColl presented a petition of United Mine Workers of America, District No. 13, protesting against the purchase of coal from outside mines.

Referred to committee on Board of Control and its Institutions.

INTRODUCTION OF BILLS.

By Senator Thomas, Senate File No. 329, a bill for an act to establish a minimum wage for teachers in the public schools of the state, prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same.

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

PETITIONS AND MEMORIALS.

Senator Smith presented a petition of citizens of Cass county protesting against the uniformity school text bill, known as Senate File No. 131.

Referred to committee on Schools.

Senator Allen presented a petition of citizens of Pocahontas county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator McColl presented a petition of United Mine Workers of America, Local Union No. 709, indorsing the Clarkson-Shankland compensation bill.

Referred to committee on Board of Control and its Institutions.

Senator Allen presented a petition of citizens of Humboldt county opposing any change in the present school laws in regard to text books.

Referred to committee on Schools.

Senator Wilson of Appanoose presented a petition of Local Union No. 2988 of the United Mine Workers of America asking the enactment of a law requiring the boards of managers of Iowa institutions to purchase their fuel supply from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Crist presented a petition of citizens of Jamison and New Virginia opposing the passage of House File No. 262, and Senate File No. 131.

Referred to committee on Schools.

Senator Ames presented a petition of citizens of Tama, Iowa, asking the passage of House File No. 364, prohibiting the sale of dangerous drugs.

Referred to committee on Pharmacy.

Journal of Saturday, February 22, was taken up, corrected and approved.

Journal of Monday, February 24, was taken up, corrected and approved.

HOUSE MESSAGES CONSIDERED.

House File No. 86, a bill for an act to amend section two hundred twenty-seven (227) of the code supplement of 1907, as amended by the Thirty-fourth General Assembly, and to provide for an additional judicial district and an additional judge for fourth judicial district.

Read first and second time and placed on calendar.

House File No. 236, a bill for an act legalizing the adoption, signing, recording and publication of the ordinances of the city of Bedford, Iowa.

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

House File No. 48, a bill for an act to amend section six hundred fifteen (615) of the supplement to the code, 1907, relating to the extension of the limits of cities and towns.

THIRD READING OF BILLS.

By unanimous consent, House File No. 48, a bill for an act to amend section six hundred fifteen (615) of the supplement to the code, 1907, relating to the extension of the limits of cities and towns, was taken up for consideration.

Unanimous consent was given to reconsider the vote by which the bill passed the Senate.

Senator Wilson of Clinton moved that the vote by which House File No. 48 passed the Senate be reconsidered.

Carried unanimously.

Unanimous consent was given to reconsider the vote by which the bill passed to its third reading.

Senator Wilson moved to reconsider the vote by which House File No. 48 was passed to its third reading.

Carried unanimously.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking out the word "Daily" where it appears in the publication clause.

Adopted.

The bill was read for information.

Senator Wilson moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balluff, Chase, Crist, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Boe, Clarkson, Cowles, Crow, Darrah, Francis, Jewell, Kimball, McManus, Sheean, Spaulding—13.

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

REPORTS OF COMMITTEES.

Senator Smith, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate File No. 271, a bill for an act to declare certain diseases contagious and infectious, and to provide rules and regulations for the control of the same, and to fix punishment for violation thereof, beg leave to report they have had the same under consideration and recommend the same do poss.

P. M. JEWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate File No. 218, a bill for an act empowering boards of supervisors to appropriate money for educational purposes in relation to preventable diseases, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

P. M. JEWELL,
Chairman.

Senator Smith moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Heald, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred Senate File No. 38, a bill for an act to provide for the compilation of the laws of the Thirty-third, Thirty-fourth, and Thirty-fifth General Assemblies and the laws as they appear in the Supplement to the Code, 1907; to annotate same and the Code and rules of the supreme court; and the election of an editor therefor, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Strike out section 11 and substitute the following:

"SEC. 11. An edition of twelve thousand (12,000) copies of the Code Supplement shall be printed, nine thousand (9,000) of which shall be bound for immediate use and ready for distribution as soon as possible after the printing and binding of the same has been completed; the remaining three thousand (3,000) shall be folded, gathered and stored away in the paper storage room to be bound upon the orders of the executive council."

Amend by inserting the following as section 15:

"SEC. 15. The Thirty-eighth General Assembly and each third General Assembly thereafter shall provide for the compilation, annotation and publication of the statutes of a general or permanent nature enacted since the adoption of the Code and for the selection, as provided in this act, of some competent and suitable person to compile, annotate and superintend such publication."

Amend by re-numbering the sections so that the original sections 15 and 16 shall be numbered, respectively, sections 16 and 17; and when so amended the bill do pass.

T. A. HEALD,
Chairman.

Senator Heald moved that the bill be referred to committee on Appropriations.

Carried.

So the bill was referred to the committee on Appropriations.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 235, a bill for an act to amend section one thousand one hundred eighty-seven (1187) of the Code, relative to sureties upon official bonds, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 215, a bill for an act to amend section four thousand six hundred and four (4604) of the Code of 1897, with respect to the competency of witnesses, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 177, a bill for an act to legalize certain acts of the mayor and city council of the city of Marshalltown, and to legalize certain warrants of the said city of Marshalltown, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 118, a bill for an act to confer additional powers upon

trust companies and to prescribe the conditions under which they may transact business, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute, and ask that the bill as substituted be printed in regular form:

SUBSTITUTE FOR SENATE FILE NO. 118.

A BILL FOR AN ACT to Confer Additional Powers Upon Trust Companies, State and Savings Banks and to Prescribe the Conditions Under Which They May Transact Business.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. Trust companies, state and savings banks now existing or which shall be hereafter incorporated under the provisions of title nine (IX), of the Code, in addition to the powers already granted to such corporation, shall have power, when so authorized by their articles of incorporation:

First. To be appointed assignee or trustee by deed, and guardian, executor or trustee by will, and such appointment, upon qualification as herein required, shall be of like force as in case of appointment of a natural person.

Second. To be appointed receiver, assignee, guardian, administrator, or other trustee by any court of record in this state, and it shall be lawful for such court to appoint such corporation as such receiver, assignee, guardian, administrator, or other trustee, in the manner provided by law for the appointment of any natural person to such trust. Provided any such appointment as guardian shall apply to the estate and not the person.

Third. To act as fiscal or transfer agents, or registrar for estates, municipalities, companies and corporations.

Fourth. To take, accept and execute any and all such trusts and powers of whatsoever character and description, not in conflict with the laws of the United States or of the state of Iowa, as may be conferred upon or entrusted or committed to them by any person or persons or any body politic, corporation or other authority, by grant, assignment, transfer, devise, bequest or otherwise, or which may be intrusted or committed or transferred to them or vested in them by order of any court of record, and to receive and take and hold any property or estate, real or personal, which may be the subject of any such trust, and to manage and dispose of such property or estate in accordance with the terms of such trust or power.

Fifth. Ay court having appointed, and having jurisdiction of any receiver, executor, administrator, guardian, assignee or other trustee, upon the application of such officer or trustee, after such notice to

the other parties in interest as the court may direct, and after a hearing upon such aplication, may order such officer or trustee to deposit any moneys then in his hands, or which may come into his hands thereafter, and until the further order of said court, with any such trust company, state or savings bank, and upon deposit of such money, and its receipt and acceptance by such corporation, the said officer or trustee shall be discharged from further care or responsibility therefor. Such deposit shall be paid out only upon the orders of said court.

Sixth. Whenever, in the judgment of any court having jurisdiction of any estate in process of administration by any assignee, receiver, executor, administrator, guardian or other trustee, the bond required by law of such officer shall seem burdensome or excessive, upon application of such officer or trustee, and after such notice to the parties in interest as the court shall direct, and after a hearing on such application, the said court may order the said officer or trustee to deposit with any such croporation for safe keeping, such portion or all of the personal assets of said estate as it shall deem proper, and thereupon said court shall, by an order of record, reduce the bond to be given, or theretofore given by such officer or trustee, and the property as deposited shall thereupon be held by the corporation under the orders and directions of said court. When any deposit shall be made by any person in trust for another, and no other or further notice of the existence and terms of a legal and valid trust shall have been given to the corporation in the event of the death of the trustee, the same or any part thereof, together with the dividends or interest thereon, may be paid to the person for whom the said deposit was made, or to his or her legal representatives; provided, that the person for whom the deposit was made, if a minor, shall not draw the same during his or her minority without the legal consent of the legal representatives of said trustee.

Seventh. To issue drafts upon depositories, and to purchase, invest in, and sell stocks, promissory notes, bills of exchange, bonds and mortgages and other securities.

Eighth. To issue its debentures or bonds, the payment of which shall be secured by an actual transfer of real estate securities for the benefit and protection of purchasers thereof; such securities to be at least equal in amount to the par value of such bonds or debentures, and to be first liens upon unincumbered real estate worth at least twice the amount loaned thereon.

Ninth. To exercise the powers conferred on and to carry on the business of a safe deposit company, and to guarantee title to real estate which is the basis for securities sold.

SEC. 2. Any trust company, state or savings bank, before exercising any of the powers granted in this act, shall have a capital of at least twenty-five thousand dollars if located in a town having less than five

thousand inhabitants, or a capital of at least fifty thousand dollars if located in a city or town having five thousand inhabitants and less than fifteen thousand inhabitants, or a capital of not less than one hundred thousand dollars if located in a city having fifteen thousand and less than fifty thousand inhabitants, or a capital of not less than two hundred thousand dollars if located in a city having fifty thousand or more inhabitants. In case any corporation shall hold any of its own shares of stock in any of the trust capacities herein authorized, then such shares shall be voted at stockholders' meetings by any person so authorized by the board of directors of said corporation.

SEC. 3. All property, real or personal, received in trust by any such corporation exercising the powers granted by this act, shall be kept separate from such funds or property which may be in the possession of such corporation, and shall not be liable for the debts or obligations of such corporation.

SEC. 4. Every state or savings bank, or trust company, acting as guardian, administrator, executor, trustee, assignee, receiver or custodian shall have the same rights, powers and privileges as individuals so acting, and receive the same compensation as is or may be allowed individuals for exercising similar offices or trusts, so far as the same are fixed by statutes and shall execute a bond for the faithful performance of the trust confided to it in like sum and with like penalties as is required by individuals, providing, however, that no such bond shall be required in case of any state or savings bank or trust company so acting, which possesses sufficient surplus shall deposit with the auditor of state securities in an amount which shall at all times equal at least ten per cent of the value of all personal property and cash held in such trust capacities where the same do not exceed five hundred thousand dollars, and equal to five per cent of any excess up to five million dollars, and equal to two and one-half per cent of any excess over five million dollars; such securities shall be of the same character and description as provided for in paragraphs one, two, three and four of section eighteen hundred six of the Code. Such securities shall be held by the auditor of state in his official capacity in trust for the purpose of securing the liabilities of such corporation until all such trust liabilities have ceased to exist. The securities so deposited may be exchanged from time to time for other securities of like character, and should any corporation, at any time, have deposited with the auditor more than the amount hereby required, the excess may be refunded. Until default by the corporation occurs, rendering necessary a recourse to such trust fund, the corporation shall be entitled to the beneficial interest and income therefrom, and the auditor shall execute all necessary powers of attorney to such corporation to enable it to collect the same. At the time of making such deposits, the president, vice president, cashier or secretary of such corporation shall make and file with the auditor an affidavit as to the intrinsic value of such securities so deposited in such form and substance as shall be satisfactory to said auditor. No sale, transfer or other disposition of such trust fund or any part thereof for the pur-

pose of applying the same to the satisfaction of the trust liabilities for which they are held shall be made by the auditor except upon order of a court of competent jurisdiction.

SEC. 5. Before entering upon the duties incident to an appointment of any such corporation by any court of this state, as assignee, receiver, administrator, executor, guardian, trustee, depository or in any other trust capacity, the president, vice president, cashier or secretary of such corporation shall make and present to the court an affidavit showing that all requirements of law, with regard to the deposit of securities with the auditor of state, have been complied with, thereupon such corporation shall not be required to give bond or security upon its appointment or acceptance of any office of trust which it is by law authorized to execute; nor shall said corporation nor any of its officers be required to make or give oath as required in the case of natural persons, but upon the filing of such affidavit there shall be issued to said corporation the necessary letters or certificates of authority from the court making said appointment.

SEC. 6. In case any corporation desires to retire from business under this act, or in case of the dissolution of any such corporation the court having jurisdiction of each of the several trusts and appointments held by such corporation shall, upon application of such corporation or its receiver, after such notice to the other parties in interest as the court may direct, and after a hearing upon such application, appoint another corporation as successor trustee or appointee, and upon the acceptance of such office by the successor trustee and due qualification therefor, and the transfer of the property in such case held, to the successor trustee then the dissolving corporation shall be discharged from any further responsibility in such trust capacity or appointment. And the auditor of state, upon being furnished with satisfactory evidence of said corporation release and discharge from all of the obligations and trusts assumed by virtue of this act, shall thereupon return to such corporation the securities deposited by it with him.

SEC. 7. Any trust company, state or savings bank, which under this act and by its original or amended articles of incorporation shall be authorized to exercise any of the powers herein granted, shall have the word "trust," "state" or "savings" incorporated in the name thereof; and no corporation hereinafter organized without complying with the terms of this act, and no partnership, individual or unincorporated association, shall incorporate or embrace the word "trust" in its name.

SEC. 8. Trust companies, state or savings banks, may contract indebtedness or liability for the following purposes only: For necessary expenses in managing and transacting their business, for deposits, and to pay depositors, provided, that in pursuance of an order of the board of directors previously adoptted, other liabilities not in excess of an amount equal to the capital stock may be incurred. But nothing herein contained shall limit the issuance of debentures or bonds, the actual payment of which shall be secured by an actual transfer of real estate securities as hereinbefore provided.

SEC. 9. The beneficiaries of any trust held by any such corporation, may appoint, by and with the approval of the court having jurisdiction thereof, a practicing attorney in good standing to look after the legal interests of said beneficiaries; and said attorney shall be allowed by the court a reasonable fee for such legal services, to be paid out of said trust estate.

SEC. 10. After providing for all expenses, interest and taxes accrued or due from said trust company, corporations exercising the powers herein conferred and deducting all losses and bad debts, the board of directors of said corporation declare a dividend of so much of the profits of the corporation as they shall judge expedient; all debts past due to any corporation on which interest is past due and unpaid for a period of twelve months, unless the same are well secured and in process of collection, shall be considered bad debts within the meaning of this section; before any such dividend is declared, not less than one-tenth of the net profits of the corporation for the preceding half year, or for such period as is covered by the dividend, shall be carried to a fund to be designated the surplus fund, until such surplus fund shall amount to twenty per cent of its capital stock, and thereafter such surplus fund shall always be equal to at least twenty per cent of the capital stock of such corporation unless impaired by losses, and whenever the same becomes so impaired it shall be reimbursed in the manner provided for its accumulation. Said surplus shall be invested the same as the original capital.

SEC. 11. All of the provisions of section sixteen hundred eighteen-a of the Code Supplement, relating to the renewal of corporate existence of state and savings banks, and all of the provisions of Code sections, numbered eighteen hundred forty, eighteen hundred forty-two, eighteen hundred forty-three so far as same relates to time and manner of commencing business, eighteen hundred forty-five, eighteen hundred forty-six, eighteen hundred forty-seven, eighteen hundred forty-eight, eighteen hundred forty-nine, eighteen hundred fifty-three, eighteen hundred fifty-four, eighteen hundred fifty-six, eighteen hundred fifty-seven, eighteen hundred fifty-eight and eighteen hundred sixty and all the provisions of chapter twelve of title IX of the Code; and all amendments thereto, and not in conflict with this act, shall apply with equal force and effect to all trust companies organized or reorganized under this act, and said sections are hereby amended to include such trust companies. Provided, that any corporation exercising any of the powers herein granted, in addition to matters required by section eighteen hundred seventy-two of said chapter twelve of title IX of the Code to be given in the statement of conditions, shall give:

A list and brief description of the trusts held by such company, the source of the appointment thereto, and the amount of real and personal estate held by such company by virtue thereof, except that mere mortgage trusts wherein no action has been taken by such company, shall not be included in such statement; said list to be transmitted to

the auditor of state within thirty days after the receipt of requisition therefor, but such list shall not be published.

SEC. 12. All acts, or parts of acts, in conflict with this act, are hereby repealed.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Cowles called up for consideration the motion filed for a reconsideration of the vote by which House Joint Resolution No. 6 was placed on the calendar, and moved the vote be reconsidered.

Senator Allen moved that House Joint Resolution No. 6 be made a special order for March 5th, at 10:30 o'clock A. M.

Senator Cowles raised the point of order that the motion to make a special order was not in order until the motion to reconsider was disposed of.

President declared the point not well taken.

On the motion of Senator Allen to make House Joint Resolution No. 6 a special order for March 5th, a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Arney, Balkema, Boe, Crist, Crow, Darrah, DeWolf, Dunnegan, Farr, Fellows, Gillette, Hagemann, Jones, Larrabee, Legel, McColl, Neal, Nye, Ream, Robinson, Smith, Spaulding, Taylor, Thomas, Wilson of Appanoose—27.

The nays were:

Balluff, Chase, Cowles, Doran, Garrett, Heald, Hilsinger, Kimball, Malmberg, Mattes, McManus, Perkins, Quigley, Savage, Schrup, Sheean, Sullivan, Webber, White, Wilson of Clinton—20.

Absent or not voting:

Clarkson, Francis, Jewell—3.

So the motion prevailed.

On motion of Senator Larrabee, Senate File No. 79, a bill for an act to amend section twenty-eight hundred twenty-three-a (2823-a) and to amend section twenty-eight hundred twenty-three-l (2823-l) supplement to the code, 1907, relative to the attendance of children of a certain age in public schools, was taken up and considered.

The substitute bill was read for information.

Senator Larrabee offered the following amendment and moved its adoption:

I move to amend the substitute bill by inserting after the figures "1907" in line two, section one, a comma (,) and the following, "as amended by chapter 186 and chapter 187 acts of the Thirty-third General Assembly".

Adopted.

Senator Larrabee 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Cowles, Crist, Crow, Darrah, DeWolf, Dunnegan, Farr, Fellows, Garrett, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose—38.

The nays were:

Doran, Webber, Wilson of Clinton—3.

Absent or not voting:

Balluff, Clarkson, Francis, Gillette, Jewell, Mattes, McColl, Perkins, Schrup—9.

Senator Larrabee offered the following amendment and moved its adoption:

I move to amend the title by inserting after the figures "1907" in line 3, a comma (,) and the following: "as amended by chapter 186 and chapter 187 acts of the Thirty-third General Assembly".

Adopted.

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

On motion of Senator Crist, Senate File No. 114, a bill for an act to amend section four hundred fifty-eight-c (458-c) of the supplement to the code, 1907, and chapter 32 of the acts of the Thirty-third General Assembly, relating to the payment of claims for injuries to domestic animals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Crist 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Crist, Darrah, DeWolf, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—43.

The nays were:

Doran—1.

Absent or not voting:

Balluff, Clarkson, Cowles, Crow, Francis, Jewell—6.

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 35, a bill for an act to legalize a certain election held in the town of Jewell Junction, Iowa.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled House File No. 179, a bill for an act authorizing the recording of transcripts from recorder's office of instruments affecting real estate (additional to chapter 6, title 14 of the Code, relating to conveyances of real estate).

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

Also:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled Senate File No. 35, a bill for an act to legalize a certain election held in the town of Jewell Junction, Iowa.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

On motion of Senator Spaulding, Senate File No. 175, a bill for an act repealing section 2348 of the code, 1897, and enacting a substitute therefor, providing for a bounty on wild animals and the proof necessary to secure such bounty, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Spaulding moved that the bill be referred to committee on Judiciary.

Carried.

Senator Spaulding moved that the vote be reconsidered by which the bill was referred to committee on Judiciary.

Carried.

Senator Spaulding moved that the bill be re-referred to committee on Agriculture.

Carried.

So the bill was referred to committee on Agriculture.

Unanimous consent was given for the consideration of Senate File No. 4, a bill for an act to amend section twenty-eight hundred thirteen (2813) supplement to the code, 1907, relating to certifying estimates and levying taxes therefor in school districts for the payment of principal and interest on bonded indebtedness.

Unanimous consent was given to reconsider the vote by which the bill passed to its third reading.

Senator Clarkson moved that the vote by which Senate File No. 4 passed to its third reading be reconsidered.

Carried.

Senator Clarkson moved that the substitute for the original bill as recommended by the conference committee be adopted.

Carried.

The bill was read for information.

Senator Clarkson moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—43.

The nays were:

None.

Absent or not voting:

Balluff, Cowles, Crow, Francis, Jewell, Quigley, Taylor—7.

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

On motion of Senator Savage, Senate File No. 205, a bill for an act to require the teaching of elementary agriculture, domestic science and manual training in the public schools after a specified time, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Savage 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream,

Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—42.

The nays were:

None.

Absent or not voting:

Balluff, Cowles, Crow, Francis, Jewell, Perkins, Schrup, Wilson of Clinton—8.

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

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate File No. 35 and House File No. 179.

On motion of Senator Jones, Senate File No. 142, a bill for an act to repeal chapter one hundred thirty-seven (137) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor, relating to the support of the industrial school, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Jones moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose—37.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, Crow, Farr, Francis, Heald, Jewell, Mattes, Neal, Taylor, White, Wilson of Clinton—13.

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

On motion of Senator Arney, Senate File No. 76, a bill for an act to amend section twenty-six hundred eight (2608) of the supplement to the code of 1907 and establish a minimum monthly allowance for the support of the Soldiers' Home, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Arney offered the following amendment and moved its adoption:

"I move to amend Senate File No. 76 by inserting after the word 'month' in the fifth line of the printed bill the following: 'in adition to the monthly allowance for each office and employe' ".

The bill as amended was read for information.

Senator Arney moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Sullivan, Taylor, Thomas, Wilson of Appanoose—40.

The nays were:

None.

Absent or not voting:

Balluff, Darrah, Francis, Jewell, Mattes, Smith, Spaulding, Webber, White, Wilson of Clinton—10.

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

On motion of Senator Crist, House File No. 157, a bill for an act to amend section 2584 of the code; to repeal section 2589-a, supplement to the code, 1907; as amended by section 2 of chapter 123, laws of the Thirty-fourth General Assembly, and to enact a substitute therefor; to repeal section 2585 of the supplement to the code, 1907, as amended by chapter 123 of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor relating to the practice of pharmacy and the sale of drugs, medicines, poisons, and chemicals, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Crist moved that the following amendments be adopted:

Amend by inserting after the word "annum" in the last line of section three (3) the following:

"And shall perform such duties as the board may prescribe."

"Sec. 4. That section twenty-five hundred and eighty-seven (2587) of the code, as amended by chapter one hundred and twenty-three (123) of the acts of the Thirty-fourth General Assembly be amended by striking out the word 'five' as it occurs in the fifth line of said section, and substituting therefor the word 'six' ".

Adopted.

Senator Crist 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 ayes were:

Arney, Balkema, Chase, Clarkson, Crist, DeWolf, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Kimball, Legel, McColl, Neal, Nye, Ream, Robinson, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

Ames, Boe, Darrah, Doran, Jones, Larrabee, Mattes, Perkins, Quigley, Spaulding—10.

Absent or not voting:

Allen, Balluff, Cowles, Crow, Francis, Hilsinger, Jewell, Malmberg, McManus, Savage, Schrup—11.

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

MESSAGES FROM THE HOUSE.

The following message was received from the House:

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

Concurrent Resolution relative to an address by Hon. James Wilson before a joint session of the Senate and House on Friday, March 14, 1913.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refuses to concur in Senate amendment to House amendment to Senate Concurrent Resolution relative to joint rules of the Thirty-fifth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

Unanimous consent was given for the consideration of the following House message:

CONCURRENT RESOLUTION.

WHEREAS: By authority of a concurrent resolution an invitation has been extended to James Wilson, for sixteen years secretary of agriculture, to address a joint convention of the Senate and the House; and,

WHEREAS: It having been ascertained that Mr. Wilson will be able to address a joint convention of the Senate and the House on Friday, March 14, 1913; therefore,

Be it resolved by the House, the Senate concurring, That a joint convention of the Senate and House be held in the hall of the House of Represetatives on Friday, March 14, 1913, at eleven o'clock A. M., for the purpose of hearing an address by James Wilson, in which address he will review his sixteen years' service as secretary of agriculture.

Senator Ames moved that the Senate concur in House concurrent resolution.

Carried.

By unanimous consent the following House message was considered:

Senate concurrent resolution relative to joint rules of the Thirty-fifth General Assembly.

Senator Perkins moved that the Senate insist upon its amendment to House amendment and ask for a conference committee.

Carried.

The president appointed as such conference committee on the part of the Senate, Senators Perkins, Mattes, Allen and DeWolf.

THIRD READING OF BILLS.

On motion of Senator Jones, Senate File No. 221, a bill for an act legalizing the ordinances, resolutions and acts of the council of the incorporated town of Pacific Junction in Mills county, Iowa, so far as affected by the election of six members of said council instead of five, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved the adoption of the following amendment:

"Strike out section 2 as it appears in the bill and renumber sections 3 and 4 respectively in confarmity."

Adopted.

The bill was read for information.

Senator Jones moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—43.

The nays were:

None.

Absent or not voting:

Allen, Cowles, Dunnegan, Francis, Jewell, McColl, Thomas—7.

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

On motion of Senator Balkema, Senate File No. 71, a bill for an act to repeal chapter one hundred fifty-two (152) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the conveyance of real estate by executor, administrator, trustee, guardian, referee or commissioner, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema 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 ayes were:

Ames, Arney, Balkema, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Boe, Cowles, Crow, Dunnegan, Francis, Jewell, McColl, McManus—10.

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 35, a bill for an act to legalize a certain election held in the town of Jewell Junction, Iowa.

JOHN H. TAYLOR,
Chairman.

Passed on file.

THIRD READING OF BILLS.

On motion of Senator Cowles, Senate File No. 228, a bill for an act to amend section four thousand eight hundred twenty-three (4823) of the code pertaining to malicious mischief and trespass, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cowles moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Darrah, DeWolf, Doran, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—44.

The nays were:

None.

Absent or not voting:

Crow, Dunnegan, Francis, Jewell, McColl, McManus—6.

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

Senator Taylor moved that the Senate do now adjourn until 9 o'clock A. M., tomorrow.

Declared out of order as motion was made during a roll call.

Senator Smith moved that Senate do now adjourn until 9 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 26, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. I. C. Rankin, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Clarkson presented a petition of United Mine Workers of America, Local Union No. 793, objecting to purchasing coal outside of the state.

Referred to committee on Board of Control and its Institutions.

Senator Clarkson presented a petition of United Mine Workers of America urging passage of Senate File No. 3.

Referred to committee on Judiciary.

Senator Clarkson presented a petition of citizens of Albia opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator McColl presented a petition of United Mine Workers of America, District No. 13, objecting to purchasing coal outside of the state.

Referred to committee on Board of Control and its Institutions.

Senator McManus presented a petition of citizens of Lee county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator White presented a petition of citizens of Iowa county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator White presented a petition of citizens of Big Grove township, Johnson county, opposing the passage of House File No. 130.

Referred to committee on Schools.

Senator Quigley presented a petition of citizens of Farmersburg opposing House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Wilson of Appanoose presented a petition of members of Local Union No. 553, United Mine Workers of America, requiring the enactment of a law requiring the boards of managers of Iowa institutions to purchase their fuel supply from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Chase presented a petition of citizens of Eagle Grove urging passage of House File No. 364.

Referred to committee on Pharmacy.

Senator Chase presented a petition of citizens of Hamilton county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Sheean presented a petition of citizens of Cedar county protesting against passage of House File No. 130, House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Spaulding presented seven petitions from citizens of Keokuk county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Spaulding presented a petition of citizens of Keokuk county opposing a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Allen presented a petition of citizens of Pocahontas county opposing House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Perkins presented a petition of citizens of Delaware county protesting against Senate File No. 131 and House File No. 262.

Referred to committee on Schools.

Senator Kimball presented a petition of citizens of Pottawattamie county providing for an appropriation to assist in the promotion of an exposition to be held in Des Moines some time during the year 1913 for the display of evidence of the progress of Iowa's negro citizens during the semi-centennial period.

Referred to committee on Appropriations.

Senator Fellows presented a petition of citizens of Allamakee county favoring House File No. 346.

Referred to committee on Pharmacy.

Senator Fellows presented a petition from the medical profession against the chiropractor.

Referred to committee on Public Health.

Senator Fellows presented a petition of citizens of Allamakee county opposing House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Neal presented a petition of citizens of Henry county opposing House File No. 131.

Referred to committee on Schools.

Senator Wilson of Appanoose presented a remonstrance of citizens of Centerville protesting against a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Sheean presented a petition of citizens of Bennet and Tipton opposing a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Dunnegan presented a petition of citizens of Fremont county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Mattes presented a petition of citizens of Auburn, Iowa, urging passage of House File No. 364.

Referred to committee on Pharmacy.

Senator Thomas presented a remonstrance of citizens of Decatur county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Ames presented a petition of citizens of Mt. Auburn, Iowa, urging passage of House File No. 364.

Referred to committee on Pharmacy.

Senator Smith presented a petition of citizens of Cass county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Robinson presented a petition of citizens of Hancock county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Larrabee presented two petitions of citizens of Webster county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Hagemann presented a petition of citizens of Butler county opposing a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Taylor presented a petition of citizens of Jefferson county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Taylor presented a petition of citizens of Jefferson county opposing a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Allen presented two petitions of citizens of Varina, Pocahontas, Rutland and Albert City opposing any change that may be contemplated in the law regarding uniformity of school text books.

Referred to committee on Schools.

Senator Allen presented a remonstrance of citizens of Varina, Pocahontas and Fonda opposing a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Allen presented a petition of citizens of Laurens Iowa, asking for an appropriation to fight hog cholera.

Referred to committee on Agriculture.

Senator Arney presented a petition of citizens of Union, Iowa, opposing the abolishment of the office of school treasurer.

Referred to committee on Schools.

Senator Garrett presented a petition of citizens of Muscatine county opposing passage of House File No. 130.

Referred to committee on Schools.

Senator Spaulding presented a remonstrance of citizens of Keokuk county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Sullivan presented a petition of members of Local Union No. 1047, of the United Mine Workers of America, asking the enactment of a law that will require the boards of managers of Iowa institutions to purchase their fuel supply from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Hagemann presented a petition of citizens of Denver, Iowa, opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Neal presented a petition of citizens of Washington county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Neal presented a petition of citizens of Washington county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Crist presented a petition of citizens of Warren county asking for a law to make it possible for townships composed of independent districts to establish and maintain high schools.

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 speaker of the House has appointed as members of the Conference committee on the part of the House Concurrent Resolution relative to the joint rules, Representatives Brady of Dallas, Ring of Linn, Scholz of Clayton and Huff of Hardin.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 section 2734-b of the Supplement to the Code, relating to the qualifications of county superintendents.

A. C. GUSTAFSON,
Chief Clerk.

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

On request of Senator Crist, leave of absence was granted Senator Nye for the day.

On request of Senator Crist, leave of absence was granted Senator Boe for the day.

INTRODUCTION OF BILLS.

By Senator McManus, by request, Senate File No. 330, a bill for an act to repeal sections seven hundred twenty (720), seven hundred twenty-five (725), supplement to the code, 1907, providing that cities operating under the general incorporation laws, special charter and commission plan shall have power to establish, erect, purchase and acquire, lease, sell, maintain and operate, within or without the corporate limits of any city or town, heating plants, water works, gas works, or electric light or electric power plants, or telephone system or plant, or any other public service plant, or to grant to individuals or private corporations the authority to erect and maintain such works, plants or systems and to fix or regulate rates or service for use of said plants, fixtures and appurtenances contemplated under this act.

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

By Senator Robinson, Senate File No. 331, a bill for an act to amend section twenty-seven hundred ninety-two (2792) of the code of 1897 relating to the restoration of territories to the school district from which it has been taken.

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

Senator McManus offered the following concurrent resolution and by unanimous consent the resolution was considered:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That Mr. Hugh L. Cooper is hereby requested and invited to deliver his stereoptican lecture on the "Keokuk Dam and the Possibilities of Water Power in Iowa" to the Senate and the House, and that a committee of three, one from the Senate and two from the House, be appointed to extend the invitation.

Senator McManus moved the adoption of the resolution.

Adopted.

The president appointed as member of such committee on the part of the Senate, Senator McManus.

HOUSE MESSAGES CONSIDERED.

Concurrent resolution relative to committee appointed on joint rules.

Passed on file.

House File No. 98, a bill for an act to amend the law as it appears in section two thousand seven hundred thirty-four-b (2734-b) supplement to the code, 1907, relating to the qualifications of county superintendent.

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

REPORTS OF COMMITTEES.

Senator Larrabee, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 239, a bill for an act amending section 2157-c of the Supplement to the Code, 1907, relating to the free issuing of transportation by common carriers of passengers in certain cases, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

FREDERIC LARRABEE,
Chairman.

Senator Larrabee moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 192, a bill for an act additional to chapter 5, title 10 of the Code, to require locomotives to be equipped with headlight, to prescribe the character of such headlights and to punish the failure to so equip the same, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 192.

A BILL FOR AN ACT Additional to Chapter Five (5), Title Ten (10) of the Code to Require Locomotives to be Equipped with Headlights, to Prescribe the Character of Such Headlights and to Punish the Failure to so Equip the Same.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. It shall be the duty of every person, firm or corporation owning or operating any line of railway within the state of Iowa to equip all locomotives, power vehicles, power cars, or other equipment used as the equivalent of or in place of a locomotive, when used in the transportation of passengers or freight with a headlight of sufficient candle power, measured with a reflector, to throw a light in clear weather that will enable the operator of same to plainly discern an object the size of a man lying prone on the track at a distance of eleven hundred (1100) feet from the headlight, and thereafter to maintain and use such headlights upon every such locomotive, vehicle, car or other equipment.

It shall be the duty of all such common carriers to so provide and equip ten per cent of the whole number of locomotives used by such carriers with such headlight within ninety (90) days after the taking effect of this act, and an additional ten per cent of such locomotives to be so equipped each and every thirty (30) days thereafter until all such engines and locomotives, and other equipment used as equivalent thereof shall be equipped with such headlight.

This act shall not be construed to apply to power cars used by street railways and operated wholly within the corporate limits of any city or town, nor to engines or other equipment used exclusively for switching purposes, nor to engines or other equipment running after sunrise and before sunset.

SEC. 2. Any person, firm or corporation owning such line of railway or the equipment operated thereon, who shall cause or permit any locomotive, power vehicle, power car, or other equipment used as the equivalent thereof, to be operated without being equipped with the headlight required by the provisions of section one (1) hereof, shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) for each offense. Provided, however, that no punishment shall be imposed for the operation of any such locomotive or the equivalent thereof without such headlight, when such locomotive was properly equipped with such headlight at the commencement of the trip, providing it is shown that such headlight was in good and sufficient working condition when the trip was begun and became disabled during the trip; and when so amended the bill do pass.

FREDERIC LARRABEE,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 24, a bill for an act to indemnify Clara Bahls for personal injury sustained by her while at work in the laundry while attending the institution for the deaf and dumb at Council Bluffs, Iowa, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

That the following words in section one be struck out from the first and second lines: "the moneys of this state", and in lieu thereof the following be substituted: "any moneys in the state treasury"; and when so amended the bill do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 43, a bill for an act appropriating the sum of five thousand dollars ($5,000.00) to indemnify Allan W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Senator Savage, from the committee on Public Schools, submitted the following report:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred House File No. 6, a bill for an act to amend section 2849 of the Supplement to the Code of 1907, relative to school loans, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend the title by inserting a "," (comma) after the word "Code" in line two.

Amend section 1 by inserting a "," (comma) after the word "Code" in line two.

Amend section 1 by striking out the "," (comma) after the figure "1" (one), and inserting a "." (period) in lieu thereof; and when so amended the bill be referred to the Appropriation committee with recommendation for passage.

A. C. SAVAGE,
Chairman.

Senator Savage moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 67, a bill for an act to provide state aid to consolidated schools equipped with two or more rooms, beg leave to report they have had the same under consideration and recommend the same do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 42, a bill for an act to amend sections 2754, 2808, 2812-f, Supplement to the Code, 1907, and sections 2760, 2780, and 2811, Code, and to repeal section 2810 of the Code, and sections 2757, 2768, and 2769, Supplement to the Code, 1907, and to enact substitutes therefor, abolishing the office of school treasurer and providing that the county

treasurer shall perform the duties of said officer, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

A. C. SAVAGE,
Chairman.

Senator Savage moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 151, a bill for an act to amend the law relating to the compensation and duties of school treasurers as the same appears in section 2780 of the Code and section 2768 of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and recommend the same do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Senator Smith, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate File No. 213, a bill for an act to amend section four thousand nine hundred and ninety-nine-a-thirty-five (4999-a-35), Supplement to the Code, 1907, as amended by chapter one hundred seventy-six (176) of the acts of the Thirty-fourth General Assembly, relating to the pure drug act, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out of said bill all of the same from and after the word "following" in the sixth line after the enacting clause of said bill and substituting therefor the following:

"Any person, firm, corporation, or association who will attempt to sell or in any wise dispose of any proprietary remedy or medicine purported to cure the disease commonly known as tuberculosis, or consumption, or the disease commonly known as cancer, who shall in any way publish, disseminate, circulate or place before the public or cause directly or indirectly to be made public, in this state, in any newspaper, or other publication or in the form of a book, notice, handbill, poster, bill, circular, pamphlet or letter, or in any other way an advertisement

of any sort purporting to cure said diseases, which advertisement contains any assertion, representation, statement or fact, which is untrue, deceptive or misleading shall be guilty of a misdemeanor."; and when so amended the bill do pass.

P. M. JEWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate File No. 66, a bill for an act to amend the law as it appears in sections twenty-five hundred five (2505), and twenty-five hundred eight (2508) of the Supplement to the Code, 1907, in reference to the inspection of petroleum products, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

P. M. JEWELL,
Chairman.

Senator Smith moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Darrah, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred House File No. 1, a bill for an act to amend the law as it appears in sections ten hundred eighty-seven-a-ten (1087-a-10), ten hundred eighty-seven-a-twenty-two (1087-a-22), and ten hundred eighty-seven-a-twenty-seven (1087-a-27), of the Supplement to the Code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, section eleven hundred six (1106) of the Supplement to the Code, 1907, and sections eleven hundred fifty (1150), eleven hundred fifty-one (1151), eleven hundred fifty-seven (1157), and eleven hundred sixty-two (1162), of the Code, and repealing chapter one (1) of the acts of the special session of the Thirty-second General Assembly, and enacting a substitute therefor, all relating to the nomination of candidates for the office of senator in the Congress of the United States and of the canvass of the vote for senator in the congress of the United States, and providing for nominations for such office in case of vacancy, beg leave to report they have had the same under consideration and recommend the same do pass.

J. H. DARRAH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 11, a bill for an act to repeal section ten hundred eighty-seven (1087) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to party declarations of voters at primary elections, beg leave to report they have had the same under consideration and recommend the same for indefinite postponemnt.

J. H. DARRAH,
Chairman.

Senator Darrah moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Darrah was granted unanimous consent and moved that the vote by which the report of the committee to indefinitely postpone Senate File No. 31 was adopted be reconsidered.

Carried.

Senator Darrah moved that Senate File No. 31 be re-referred to committee on Elections.

Carried.

INTRODUCTION OF BILLS.

By Senator Balkema, Senate File No. 332, a bill for an act to repeal section 1347-a of the supplement to the code, 1907, relating to the vocation of peddlers, defining the term peddlers so as to include soliciting agents and 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 Commerce and Trade.

By Senator Balkema, Senate File No. 333, a bill for an act providing for the license of certain classes of temporary or transient merchants doing business in cities or incorporated towns, defining the same and the manner of issuing licenses, regulating the advertising and representation of such merchants and providing for penalties for the violation thereof.

Read first and second time and referred to committee on Commerce and Trade.

By Senator Kimball, Senate File No. 334, a bill for an act providing for the assessment of the cost of main sewers to the property within the territory drained and defining adjacent property relative thereto, and amending section eight hundred forty-d (840-d) of the supplement to the code, 1907, relating to the construction of main sewers and paying the cost thereof.

Read first and second time and referred to committee on Cities and Towns.

By Senator Kimball, Senate File No. 335, a bill for an act to repeal the law as it appears in chapter two hundred twenty (220), acts of the Thirty-third General Assembly, and to amend the law as it appears in section forty-nine hundred ninety-nine-a-nine (4999-a-9) supplement to the code, relating to protection against fire and providing means for escape.

Read first and second time and referred to committee on Cities and Towns.

By Senator Perkins, Senate File No. 336, a bill for an act to provide for the restoration of lost or destroyed public records.

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

By Senator Cowles, by request, Senate File No. 337, a bill for an act to amend the law as it appears in section one thousand nine hundred eighty-nine-a-eleven (1989-a-11) and section one thousand nine hundred eighty-nine-a-forty-nine of the supplement to the code, 1907, by repealing section one thousand nine hundred eighty-nine-a-eleven (1989-a-11) and section one thousand nine hundred eighty-nine-a-forty-nine (1989-a-49) as amended and enacting in lieu thereof the following.

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

By Senator Cowles, by request, Senate File No. 338, a bill for an act to repeal the law as it appears in section one thousand nine hundred eighty-nine-a-six (1989-a-6) of the supplement to the code, 1907, and to enact the following in lieu thereof.

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

REPORTS OF COMMITTEE.

Senator Sullivan, 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. 40, a bill for an act relating to loaning and depositing of public funds for city treasurers, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 40.

A BILL FOR AN ACT Relating to the Loaning and Depositing of Public Funds by City Treasurer.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That treasurers of cities of the first and second class, cities operating under special charter and cities organized under the provisions of chapter fourteen-c (14-c) of the Supplement to the Code, 1907, and acts amendatory thereto shall, with the approval of the city council as to place and amount of deposit, by resolution entered of record, deposit all city funds in any bank or banks in the city to which the said funds belong, at interest at the rate of not less than two (2) per cent per annum on ninety (90) per cent of the daily balances payable the end of each month, all of which interest shall accrue to the benefit of the general city fund; but before such deposit is made in any bank it shall file a bond for double the amount deposited with sureties to be approved by the treasurer and the city council and conditioned to hold the treasurer harmless from all loss by reason of such deposit or deposits; provided that in cases where an approved surety company's bond is furnished, said bond may be accepted in an amount of ten (10) per cent more than the amount deposited. Said bonds shall be filed with the city clerk and action shall be brought thereon by the treasurer or the city as the council may elect.

SEC. 2. If no bank or banks in the city will accept said deposits under the terms and conditions of this act, then the said funds shall be deposited in any bank or banks in the state who will accept said funds under the terms and conditions of this act.

SEC. 3. No treasurer shall loan or in any manner use for private purposes any funds coming into his hands as such treasurer; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 219, a bill for an act to provide for the transfer to the city or town treasurer of unclaimed funds in the treasury of the county where such unclaimed funds are the proceeds of an invalid tax levied to pay for the construction of an electric light plant for such city or town, and making the same a part of the general fund of such city or town, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 219.

A BILL FOR AN ACT to Provide for the Transfer to the City or Town Treasurer of Unclaimed Funds in the Treasury of the County Where Such Unclaimed Funds Are the Proceeds of an Invalid Tax Levied to Pay for the Construction of an Electric Light Plant for Such City or Town, and Making the Same a Part of the General Fund of Such City or Town.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. In any county of this state where a special tax has been levied to pay for the construction of an electric light plant for any city or town, and such tax is held invalid, and the same or any part thereof has remained uncalled for in the treasury of the county for a period of five (5) or more years preceding the passage of this act, the board of supervisors of such county shall cause such unclaimed fund to be transferred and paid to the treasurer of the city or town in which such tax was levied, the same to be by the treasurer of such city or town credited to the general fund.

SEC. 2. The money so transferred and paid to the treasurer of such city or town, and so credited to the general fund or any part thereof, shall be paid at any time within five (5) years from the receipt thereof to any person who is shown to be entitled thereto by evidence satisfactory to the city council or to the district court of the county in which such tax was levied and paid. Payment shall be made from the general fund of the city in the manner provided for the payment of other claims from that fund; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Ream, Senate File No. 339, a bill for an act to provide for the establishment of district custodial farms for the detention, treatment and employment of persons convicted of crime; to make provisions for the control and management thereof; to provide what persons convicted of crime shall be kept thereon, and to make an appropriation therefor.

Read first and second time and referred to committee on Penitentiaries and Pardons.

On request of Senator Clarkson, leave of absence was granted Senator Wilson of Clinton for the day.

On request of Senator Ream, leave of absence was granted Senator Schrup for the day.

THIRD READING OF BILLS.

On motion of Senator Larrabee, Senate File No. 61, a bill for an act to provide additional funds for the Soldiers' Home, the Industrial School for Boys, the Industrial School for Girls, the state penitentiary and the reformatory, was taken up and considered.

Senator Larrabee moved that the Senate concur in the following House amendment:

Section 1. Be amended by striking out of line four (4) the words "thirty-nine" and insert in lieu thereof the words "thirty-four". Also strike from line seven (7) the figures four thousand (4000) and insert in lieu thereof the figures fifteen hundred (1500); also strike from line nine (9) the figures six thousand (6000) and insert in lieu thereof the figures thirty-five hundred (3500).

On the question, "Shall the Senate concur in the House amendment?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malm-

berg, Mattes, McColl, McManus, Neal, Perkins, Quigley, Ream, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—40.

The nays were:

None.

Absent or not voting:

Boe, Chase, Cowles, DeWolf, Francis, Jewell, Nye, Robinson, Schrup, Wilson of Clinton—10.

So the House amendment having received a constitutional majority was declared concurred in.

On motion of Senator Arney, House File No. 177, a bill for an act to legalize certain acts of the mayor and city council of the city of Marshalltown and to legalize certain warrants of the said city of Marshalltown, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Arney offered the following amendment and moved its adoption:

Amend the enacting clause by inserting after word "Assembly" the words "of the state".

Adopted.

The bill was read for information.

Senator Arney moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balluff, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Perkins, Quigley, Ream, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—40.

The nays were:

None.

Absent or not voting:

Balkema, Boe, DeWolf, Francis, Hagemann, Jewell, Nye, Robinson, Schrup, Wilson of Clinton—10.

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

On the motion of Senator Smith, Dr. F. L. Watkins of Jackson, Miss., addressed the Senate for ten minutes on the subject of vital statistics.

THIRD READING OF BILLS.

On motion of Senator Sheean, Senate File No. 44, a bill for an act to fix the compensation of the wardens and of certain officers and employees of the reformatory at Anamosa and the state penitentiary at Fort Madison, and to enlarge the support fund of said institutions; repealing sections five thousand seven hundred and seventeen (5717) and five thousand seven hundred and eighteen (5718) of chapter two (2), title twenty-six (XXVI) of the code, and the law as found in sections five thousand seven hundred and sixteen (5716) and five thousand seven hundred and eighteen-a-twenty-eight (5718-a-28) chapter two (2), title twenty-six (XXVI) of the supplement to the code, 1907, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

The substitute bill was read for information.

Senator Sheean offered the following amendment and moved its adoption:

I move to amend the substitute bill as found on page 307 of the Senate Journal as follows: By striking out the word "of" after the word "code" in the fourth line of the title. Also, by striking out the word "of" after the word "code" in the second line of section one (1). Also, by adding the words "twenty-five" after the words "clerk one hundred" in the seventh line of section

fifty-seven hundred sixteen (5716) of said substitute. Also, by striking out the word "of" after the word "code" in the twenty-second line of said section. Also, by striking out the word "of" after the word "code" in the fourth line of section two (2). Also, by striking out the word "of" after the word "code" in the last line of section fifty-seven hundred sixteen (5716). Also, by striking out the word "of" after the word "code" in the fourth line of section two (2). Also, by striking out the word "of" after the word "code" in the last line of section fifty-seven hundred eighteen (5718).

Adopted.

Senator Sheean moved that the substitute for the original bill be adopted.

Adopted.

Senator Sheean moved that the rules be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Perkins, Quigley, Ream, Savage, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—36.

The nays were:

None.

Absent or not voting:

Ames, Boe, Cowles, Crist, DeWolf, Farr, Francis, Jewell, McColl, Nye, Robinson, Schrup, Smith, Wilson of Clinton—14.

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

Senator Allen introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

WHEREAS: Your committee appointed to arrange a programme and services in memory of Governor William Larrabee, has extended an invitation to Senator William S. Kenyon to deliver the address on that occasion;

Be it resolved by the Senate, the House concurring, That a joint convention of the two houses of the Thirty-fifth General Assembly be held in the House chamber Thursday, March 20, at 2 o'clock P. M. to participate in memorial ceremonies to commemorate the life and services of Governor William Larrabee.

By request of the family the services will be confined to the address mentioned in this resolution.

By unanimous consent the resolution was considered.

Senator Allen moved the adoption of the resolution.

Carried.

Senator Perkins called up for consideration the following report of conference committee on Joint Rules of the Thirty-fifth General Assembly:

MR. PRESIDENT—Your Conference committee on Joint Resolution with regard to the joint rules of the Thirty-fifth General Assembly hereby report that the joint committee recommends that the joint rules of the Thiry-fourth General Assembly be the joint rules of the Thirty-fifth General Assembly without change and House and Senate recede from all amendments thereto.

ELI PERKINS,
J. H. ALLEN,
JOSEPH MATTES,
HENRY BRADY,
H. C. RING,
CHARLES E. SCHOLZ.

Senator Perkins moved the adoption of the report of the committee.

Adopted.

Senator Perkins moved to reconsider the vote by which Senate amendment to Rule 16 was adopted.

Carried.

Senator Perkins moved that the Senate adopt the joint rules of the Thirty-fourth General Assembly as the joint rules of the Thirty-fifth General Assembly.

Adopted.

THIRD READING OF BILLS.

On motion of Senator Legel, Senate File No. 209, a bill for an act to amend the law as it appears in section 4586 of the code, 1897, relative to making transcript from the docket of a justice of the peace, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Legel moved that the substitute for the original bill be adopted.

Carried.

The bill was read for information.

Senator Legel moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Boe, Chase, Clarkson, Crist, DeWolf, Francis, Jewell, McManus, Nye, Schrup, Thomas, Webber—12.

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

On motion of Senator Ames, Senate File No. 144, a bill for an act to amend sections 2, 3 and 7 of the law as it appears in chapter 100 of the laws of the Thirty-fourth General Assembly, and

adding new sections relating to stallion and jacks, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Ames moved that the substitute for the original bill be adopted.

Carried.

Senator Ames offered the following amendments and moved their adoption:

Amend the title of the substitute bill for Senate File No. 144 as it appears on page five hundred two (502) of the Senate Journal by inserting after the figure three (3) in the first line of the title and before the word "and" the word "five" and the figure five (5), and to add the following section after section three (3) of the substitute bill, renumbering the remaining sections of the substitute bill in accordance therewith:

SEC. 4. Amend section five (5) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly by inserting after the word "graduate" and before the word "veterinarian" in line five the words "or licensed", and by inserting after the word "graduate" and before the word "veterinarian" in line eight the words "or licensed".

Adopted.

Senator Taylor offered the following amendment and moved its adoption:

I move to amend the amended and substituted bill for Senate File No. 144 as the same appears in the Senate Journal of February 20, 1913, which commences on page 502 of said Journal by inserting immediately after the word and figure "Section 5" and before the word "No" on page 504 of said Journal, the words and figures "on and after July 4, 1913," and by adding after section 7 thereof the following:

"SEC. 8. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa."

On the adoption of the amendment a roll call was demanded.

Those favoring the adoption of the amendment were:

Balluff, Crow, Doran, Dunnegan, Farr, Garrett, Gillette, Hagemann, Legel, Malmberg, Neal, Perkins, Quigley, Ream, Sheean, Taylor, Webber, White—18.

The nays were:

Allen, Ames, Balkema, Chase, Fellows, Heald, Hilsinger, Jones, Mattes, McColl, Robinson, Savage, Spaulding, Wilson of Appanoose—14.

Absent or not voting:

Arney, Boe, Clarkson, Cowles, Crist, Darrah, DeWolf, Francis, Jewell, Kimball, Larrabee, McManus, Nye, Schrup, Smith, Sullivan, Thomas, Wilson of Clinton—18.

So the amendment was adopted.

The bill as amended was read for information.

Senator Ames moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Balluff, Chase, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Perkins, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Appanoose—35.

The nays were:

Arney, Clarkson, Hagemann, Quigley, Thomas—5.

Absent or not voting:

Boe, Cowles, Crist, DeWolf, Francis, Jewell, McManus, Nye, Schrup, Wilson of Clinton—10.

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

On motion of Senator Jones, Senate File No. 140, a bill for an act to repeal the law as it appears in section fifty-six hundred eighty-five-a (5685-a) of the supplement to the code, 1907, and to enact a substitute therefor in regard to collection of money from visitors and its use, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved that the following amendment be adopted:

By supplying the word "musical" between the words "and" and "supplies" in the fifteenth (15) line of section one (1) of the bill.

Adopted.

The bill was read for information.

Senator Jones moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—39.

The nays were:

None.

Absent or not voting:

Balluff, Boe, Crist, DeWolf, Francis, Jewell, Kimball, McManus, Nye, Schrup, Wilson of Clinton—11.

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

On motion of Senator Chase, Senate File No. 52, a bill for an act requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for falure to comply therewith, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Perkins moved that the bill be referred to the committee on Judiciary.

On the motion a roll call was demanded.

Those favoring the motion were:

Cowles, Legel, Perkins, Quigley, Smith, Taylor, Webber, Wilson of Appanoose—8.

The nays were:

Arney, Balkema, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, McColl, Neal, Ream, Robinson, Sullivan, White—25.

Absent or not voting:

Allen, Ames, Balluff, Boe, Crist, DeWolf, Francis, Jewell, Mattes, McManus, Nye, Savage, Schrup, Sheean, Spaulding, Thomas, Wilson of Clinton—17.

So the motion was lost.

Senator Smith moved that further consideration of the bill be deferred to Thursday morning, March 6th, at 10:30 o'clock A. M.

Carried.

Senate File No. 52 was made a special order for 10:30 A. M., March 6th.

On motion of Senator Mattes, Senate File No. 214, a bill for an act authorizing the executive council of Iowa to incur expenses

and make expenditures to procure data, make investigations and provide things not otherwise provided to enable said executive council to perform the duties imposed by law, 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 Mattes moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—36.

The nays were:

None.

Absent or not voting:

Balluff, Boe, DeWolf, Francis, Hagemann, Heald, Jewell, McColl, McManus, Nye, Schrup, Smith, Taylor, Wilson of Clinton—14.

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

On motion of Senator Perkins, Senate File No. 106, a bill for an act to amend section eighteen (18) of chapter one hundred seventy (170) of the acts of the Thirty-third General Assembly relative to the powers and duties of the state board of education and the finance committee of said board of education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Perkins 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 ayes were:

Allen, Ames, Arney, Balkema, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Perkins, Ream, Robinson, Savage, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—37.

The nays were:

None.

Absent or not voting:

Balluff, Boe, DeWolf, Francis, Heald, Jewell, McManus, Nye, Quigley, Schrup, Smith, Taylor, Wilson of Clinton—13.

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

Senator Allen moved that Calendar No. 9 be passed and that Senate File No. 111 retain its place on the calendar.

Carried.

On motion of Senator Farr, House File No. 86, a bill for an act to amend section two hundred twenty-seven (227) of the code supplement to 1907, as amended by the Thirty-fourth General Assembly, and to provide for an additional judical district and an additional judge for said additional district, was taken up and considered.

Senator Farr 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 ayes were:

Allen, Arney, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Perkins, Ream, Robinson, Savage, Sheean, Sullivan, Thomas, Webber, White, Wilson of Appanoose—31.

The nays were:

Clarkson, Neal—2.

Absent or not voting:

Ames, Balkema, Balluff, Boe, Chase, DeWolf, Francis, Jewell, Mattes, McManus, Nye, Quigley, Schrup, Smith, Spaulding, Taylor, Wilton of Clinton—17.

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

By unanimous consent Senator Farr withdrew Senate File No. 39 from further consideration by the Senate.

On motion of Senator Sullivan, Senate File No. 37, a bill for an act to amend section five thousand two hundred fifty-six (5256) of the supplement to the code, 1907, relating to the appointment and compensation of the clerks of the grand jury, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Sullivan moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—37.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Boe, DeWolf, Farr, Francis, Jewell, McManus, Nye, Schrup, Smith, Taylor, Wilson of Clinton—13.

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

Journal of February 25th was taken up, corrected and approved.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Perkins, Senate File No. 340, a bill for an act to make appropriation enabling the governor of the state of Iowa to investigate all patents on bridges and culverts and all cements entering into the construction of bridges and culverts and authorizing the governor to defend in all cases brought to enforce any claims against any engineer or contractor for violating any patents on cement bridges or culverts.

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

By Senator Kimball, by request, Senate File No. 341, a bill for an act to amend section three thousand seven hundred sixty-four (3764) of the code, relating to the dismissal of actions.

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

By Senator Kimball, by request, Senate File No. 342, a bill for an act permitting the payment of special assessments for drainage purposes by warrants drawn upon the drainage fund.

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

Senator Clarkson offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION.

WHEREAS: There is invested in the industry of mining in this state, approximately thirty million ($30,000,000.00) dollars, employing approximately seventeen thousand five hundred (17,500) employes; therefore,

Be It resolved by the Senate, the House concurring, That the governing bodies of state institutions be and they are hereby requested and directed to purchase fuel for the institutions of this state under their charge from Iowa mines.

Resolution was read and referred to committee on Board of Control and its Institutions.

REPORT OF COMMITTEE.

Senator Sullivan, 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. 266, a bill for an act to amend the law as it appears in section seven hundred forty-one-o (741-o), Supplement to the Code, 1907, relating to the election of city hospital trustees, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 266.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the law as it appears in section seven hundred forty-one-o (741-o), of the Supplement to the Code, 1907, be and the same is hereby amended by inserting following the word "general" in the second (2nd) line of said section the word "city"; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Thomas, House Joint Resolution No. 10, a bill for an act amending Senate Joint Resolution No. 1 of the Thirty-fifth General Assembly relating to the compensation of additional employees of the Thirty-fifth General Assembly, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Thomas moved that the following amendment be adopted:

That the figure "1" after the word "February", in line five (5) of section one (1) be changed to the figures "fifteen (15)".

Amendment lost.

Senator Malmberg offered the following amendment and moved its adoption:

I move to amend House Joint Resolution No. 10 by adding thereto the following:

"SEC. 3. That section twelve (12) of said Joint Resolution No. 10 is hereby amended by striking out the last four words of said section 12 and inserting in lieu thereof the words "three dollars per day from and after February 1, 1913."

Senator Jones moved that House Joint Resolution No. 10 be referred to the committee on Retrenchment and Reform.

Carried.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Sullivan, Senate File No. 343, a bill for an act to create a board of tax commissioners in counties having a population of seventy-five thousand (75,000) or more, according to the last census, and defining the powers and duties thereof.

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

Senator Mattes moved that the Senate do now adjourn.

Carried.

Senate adjourned until 10 o'clock A. M., Tuesday, March 4th.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 4, 1913.

Senate met pursuant to adjournment at 10 o'clock A. M., President Harding presiding.

Prayer was offered by Rabbi Eugene Mannheimer, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Balluff presented a petition of citizens of McCausland, Eldridge and Princeton opposing the establishment of a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Boe presented a petition of citizens of Lake Mills, Forest City, Thompson and Osage opposing the establishment of a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Wilson of Appanoose presented three petitions from the members of Local Union No. 201, No. 1873 and No. 239, asking the enactment of a law requiring the boards of managers of Iowa institutions to purchase their fuel supply from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Wilson of Appanoose presented a petition of citizens of Appanoose county opposing a permanent tax commission.

Referred to committee on Board of Control and its Institutions.

Senator Arney presented a petition of citizens of Laurel, Iowa, urging passage of House File No. 364, by Brockway.

Referred to committee on Pharmacy.

Senator Taylor presented a petition of citizens of Jefferson county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Mattes presented a petition of citizens of Paton and Wall Lake, Iowa, opposing the establishment of a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Gillette presented a petition of citizens of LeMars requesting the passage of House File No. 364, restricting the sale of habit forming and dangerous drugs.

Referred to committee on Pharmacy.

Senator Gillette presented a petition of citizens of LeMars favoring the passage of the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Crist presented a petition of citizens of Clarke county opposing House File No. 262.

Referred to committee on Schools.

Senator Crist presented a petition of citizens of Clarke county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Nye presented a petition of citizens of Taylor county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Allen presented a petition of citizens of Laurens, Albert City and Thor opposing the establishment of a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Allen presented a petition of citizens of Pocahontas county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Allen presented a petition of citizens of Calhoun county asking an amendment to section 2, chapter 100 of the laws of the Thirty-fourth General Assembly.

Referred to committee on Agriculture.

Senator Robinson presented a petition of citizens of Hampton, Iowa, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Smith presented a petition of soldiers, sailors and marines of the war of the rebellion and citizens of Iowa endorsing House File No. 10 relating to the pay of soldiers, sailors and marines.

Referred to committee on Military.

Senator McColl presented a petition of United Mine Workers of America, District No. 13, requiring the boards of managers of Iowa institutions to purchase their fuel supply from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Ream presented a petition of citizens of New Sharon, Lacey and Montezuma opposing a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Ream presented a petition of members of Local Union of the United Mines Workers of America asking the enactment of a law requiring the boards of managers of Iowa institutions to purchase their fuel supply from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Neal presented a petition of citizens of Henry county opposing a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

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 report of Conference committee on Senate File No. 4, reconsidered the vote by which it passed its third reading and the adoption of amendments, and passed substitute for Senate File No. 4, a bill for an act to repeal section 2813, Supplement to the Code, 1907, and enacting a substitute therefor, relating to bonded indebtedness of school corporations.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 372, a bill for an act to define the functions of the State Teachers' College at Cedar Falls, State University at Iowa City and State College of Agriculture and Mechanic Arts at Ames, and the powers of the state board of education.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 384, a bill for an act to amend the law as it appears in section 639 of the Code, relating to the classes of cities and towns.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate concurrent resolution relative to extending an invitation to Mr. Hugh L. Cooper to deliver a stereoptican lecture to the Senate and House. Speaker appoints on the part of the House, Jacobs of Calhoun and Rohwer of Ida, as committee to deliver such invitation.

A. C. GUSTAFSON,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Spaulding presented a petition of citizens of Poweshiek county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Spaulding presented a petition of citizens of Keokuk county opposing House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Sullivan presented a petition of United Mine Workers of America, District No. 13, asking for the enactment of a law requiring the boards of managers of Iowa institutions to purchase their fuel from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Larrabee presented a petition of citizens of Calhoun county favoring the passage of House File No. 364.

Referred to committee on Pharmacy.

Senator Larrabee presented a petition of citizens of Webster county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Perkins presented three petitions of citizens of Delaware county protesting against the passage of House File No. 262 and Senate File No. 131, and one petition favoring the passage of a bill relative to the use of public school grounds as public recreation and playgrounds.

Referred to committee on Schools.

Senator Perkins presented a petition of citizens of Delaware county protesting against the proposed tax commission.

Referred to committee on Ways and Means.

Senator White presnted a petition of citizens of Iowa county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator White presented a petition of citizens of Iowa county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Ames presented a petition of citizens of Tama opposing the establishment of a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Dunnegan presented a petition of citizens of Imogene favoring the passage of the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Dunegan presented a petition of citizens of Imogene and Clarinda, Iowa, opposing a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Dunnegan presented a petition of citizens of Percival opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator McManus presented a petition of citizens of Lee county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Farr presented a petition of citizens of Woodbury county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a petition of citizens of Chariton, Iowa, opposing a permanet tax commission.

Referred to committee on Ways and Means.

Senator Sullivan presented a petition of citizens of Polk county urging passage of Senate File No. 172.

Referred to committee on Appropriations.

Senator Jewell presented remonstrance of citizens of Howard and Winneshiek counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Gillette presented a remonstrance of citizens of Cherokee, Ida and Plymouth counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Legel, Senate File No. 344, a bill for an act to amend section seven hundred ninety-three (793) of the code, relative to street improvements and special assessments.

Read first and second time and referred to committee on Cities and Towns.

By Senator Garrett, Senate File No. 345, a bill for an act to amend the law as it appears in section four hundred ninety (490) supplement to the code, 1907, relating to the compensation of county treasurers.

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

By Senator Farr, Senate File No. 346, a bill for an act in relation to divorces and the time of the trial of actions for a divorce and providing for the prevention of the publication of allegations in petitions and other pleadings relating to divorce actions and for the destruction of papers and files where actions for divorce are dismissed or withdrawn by an agreement of the parties before trial and to amend section three thousand six hundred fifty-six (3656) of the supplement to the code of nineteen hundred and seven (1907).

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 heard with profound sorrow of the death of Hon. Frank A. Thayer, and has passed the following resolution with reference to his death and an appointment of a joint committee to attend the funeral. Speaker of the House appoints as such committee on the part of the House, Pickford of Cerro Gordo, McVicker of Wright, and Bartle of Osage.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE RESOLUTION.

Resolved, That the House has heard with profound sorrow of the death of Hon. Frank A. Thayer, representative from the seventy-fourth district of Iowa.

Resolved, That a committee of three members of the House, with such members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the sergeant-at-arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expense in connection therewith be paid out of the contingent fund of the state.

Resolved, That the chief clerk of the House communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect that when this House adjourns it be to reconvene Thursday morning, March 6, 1912, at 9 A. M.

Senator Robinson offered the following resolution and moved its adoption:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. Frank A. Thayer, a representative from the seventy-fourth district of the state of Iowa.

Resolved, That a committee of three members be appointed on the part of the Senate to join the committee appointed on the part of the House to attend the funeral.

Adopted unanimously by a rising vote.

The president announced as such committee on part of the Senate, Senators Robinson, Heald and Ream.

INTRODUCTION OF BILLS.

By Senator Robinson, Senate File No. 347, a bill for an act to amend section three hundred forty-two (342) of the code and the law as it appears therein relating to the drawing of jurors.

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

By Senator Kimball, Senate File No. 348, a bill for an act to repeal section two hundred twelve (212) of the supplement to the code, 1907, relating to the appointment of an assistant attorney general and to his salary, and to enact a substitute therefor.

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

HOUSE MESSAGES CONSIDERED.

House File No. 372, a bill for an act to define the functions of the state teachers' college at Cedar Falls, the State University at Iowa City, and the State College of Agriculture and Mechanic Arts at Ames, and the powers of the state board of education.

Read first and second time and referred to committee on Educational Institutions.

House File No. 384, a bill for an act to amend the law as it appears in section six hundred thirty-nine (639) of the code, relating to the classes of cities and towns.

Read first and second time and referred to committee on Cities and Towns.

By unanimous consent Senator Allen introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

WHEREAS: The Honorable Woodrow Wilson of New Jersey today becomes president of the whole United States; and,

WHEREAS: The commonwealth of Iowa assisted in naming Mr. Wilson as president of the United States; and,

WHEREAS: President Wilson is president of the whole people regardless of his politics; and,

WHEREAS: We have confidence in him as a man and a citizen of the United States; therefore,

Be it Resolved by the Senate, the House concurring, That we extend to the new president our heartiest best wishes; and,

Be it further resolved, That the people of Iowa pledge their patriotic support to the new president in every effort he may make to advance the interests of the nation and to promote the welfare of our citizenship.

Senator Allen moved the adoption of the resolution.

Carried.

INTRODUCTION OF BILLS.

By Senator Dunnegan, Senate File No. 349, a bill for an act to amend the law as it appears in section eight hundred twenty-five (825) of the code, relating to street improvements and sewers.

Read first and second time and referred to committee on Cities and Towns.

Senator Crist moved that 500 additional copies of Senate File No. 306 be printed.

Carried.

THIRD READING OF BILLS.

On motion of Senator Francis, Senate File No. 87, a bill for an act amending the law as it appears in section 2578 of the supplement to the code, 1907, relating to the revocation of physicans' certificates and defining unprofessional conduct, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Francis moved that the bill be amended by striking out the figures "1907" in the first line of section 1 and inserting after the word "code" in line 2 of section 1, the figures "1907".

Adopted.

Senator Francis 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 ayes were:

Allen, Ames, Arney, Balluff, Boe, Crist, Darrah, Dunnegan, Farr, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose—35.

The nays were:

Doran—1.

Absent or not voting:

Balkema, Chase, Clarkson, Cowles, Crow, DeWolf, Fellows, Gillette, Hagemann, Jewell, Sheean, Thomas, Webber, Wilson of Clinton—14.

Senator Francis moved that the title in the bill be amended as follows:

Strike out the figures "1907" preceding the word "supplement" in the second line and inserting after the word "code" in second line the figures "1907".

Adopted.

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

The following communication was received from the governor which was read:

STATE OF IOWA.

EXECUTIVE DEPARTMENT.

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

It is with the most sincere regret that I advise you of my official notification of the death of Representative Frank A. Thayer of Franklin county. Mr. Thayer died at his home on the first day of March.

His experience as a legislator was that gained during this session and in that time he had acquired a reputation for a sincere interest in the public welfare and for earnest effort to promote it. He had gained the confidence of his fellow members, an invaluable possession.

I suggest such action as will be expressive of the deep sense of loss felt by the General Assembly and of the esteem in which Representative Thayer was held.

Done at Des Moines, Iowa, this 4th day of March, 1913.

G. W. CLARKE,
Governor.

THIRD READING OF BILLS.

On motion of Senator Farr, Senate File No. 104, a bill for an act to amend the law as it appears in paragraph four of section eighteen hundred fifty (1850) supplement to the code of 1907 relating to the investment of funds by savings banks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Further consideration of the bill was postponed.

On motion of Senator Dunnegan, Senate File No. 245, a bill for an act to amend section eight hundred and twenty (820) of the code fixing time in which the city council or board of public works, where such board exists, shall ascertain the cost and prepare the assessment, plat and schedule relative to the special assessment of property for the making or reconstruction of street improvements, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Dunnegan moved that the following amendments be adopted:

By striking out the word "ten" in the fourth (4th) line thereof and insert in lieu thereof the word "twenty" and by striking out section 2, the publication clause.

Adopted.

Senator Dunnegan moved that the rules be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balluff, Boe, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Francis, Garrett, Gillette, Heald, Hilsinger, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose—34.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Chase, Cowles, Crow, DeWolf, Fellows, Hagemann, Jewell, Jones, Schrup, Sheean, Smith, Thomas, Webber, Wilson of Clinton—16.

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

Senator Savage moved that Senate File No. 67 be re-referred to the committee on Appropriations.

Carried.

Senator Savage moved that House File No. 6 be recalled from the committee on Appropriations and placed on the calendar.

Carried.

On motion of Senator Boe, Senate File No. 210, a bill for an act to amend the law as it appears in sections ten hundred fifty-six-a-twenty-five and ten hundred fifty-six-a-twenty-six (1056-a-25 and 1056-a-26) of the supplement to the code, 1907, as amended, and to provide for the appointment and powers of library trustees in certain cities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Boe 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 ayes were:

Allen, Ames, Arney, Balluff, Boe, Clarkson, Darrah, Doran, Dunnegan, Farr, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose—35.

The nays were:

None.

Absent or not voting:

Balkema, Chase, Cowles, Crist, Crow, DeWolf, Fellows, Hagemann, Jewell, Perkins, Savage, Sheean, Thomas, Webber, Wilson of Clinton—15.

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

On motion of Senator Dunnegan, Senate File No. 231, a bill for an act to amend the law as it appears in chapter eighty-three (83) acts of the Thirty-third (33) General Assembly relating to the issuance of bonds in cities and towns, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Dunnegan moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Dunnegan moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Balluff, Crist, Darrah, Doran, Dunnegan, Farr, Francis, Gillette, Heald, Hilsinger, Kimball, Legel, Malmberg, McManus, Quigley, Ream, Savage, Schrup, Sullivan, Taylor, White, Wilson of Appanoose—22.

The nays were:

Ames, Boe, Clarkson, Jones, Larrabee, Mattes, McColl, Neal, Perkins, Robinson, Smith, Spaulding—12.

Absent or not voting:

Allen, Arney, Balkema, Chase, Cowles, Crow, DeWolf, Fellows, Garrett, Hagemann, Jewell, Nye, Sheean, Thomas, Webber, Wilson of Clinton—16.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Ames filed the following motion:

WHEREAS: Senate File No. 231, by Dunnegan, failed for want of sufficient votes, and having voted in the negative on the same, I move that the vote whereby it was defeated be reconsidered.

A. L. AMES.

Senate resumed consideration of Senate File No. 104, a bill for an act to amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850) supplement to the code, 1907, relating to the investment of funds by savings banks.

Senator Farr offered the following amendments and moved their adoption:

I move to amend Senate File No. 104 by striking out the word "of" in the second line. Also by striking out the words "of the" in the first line of section one (1) and the word "of" in the second line of section one (1).

Senator Farr 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 ayes were:

Allen, Arney, Balluff, Crist, Darrah, Dunnegan, Farr, Francis, Gillette, Heald, Hilsinger, Jones, Kimball, Legel, McManus, Perkins, Quigley, Ream, Savage, Taylor, White—21.

The nays were:

Ames, Clarkson, Doran, Garrett, Larrabee, Malmberg, Mattes, Neal, Nye, Robinson, Schrup, Smith, Spaulding, Sullivan, Wilson of Appanoose—15.

Absent or not voting:

Balkema, Boe, Chase, Cowles, Crow, DeWolf, Fellows, Hagemann, Jewell, McColl, Sheean, Thomas, Webber, Wilson of Clinton—14.

So the bill having failed to receive a constitutional majority was declared lost.

On motion of Senator Perkins, Senate File No. 161, a bill for an act in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation of labor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved that the bill be re-referred to committee on Board of Control and its institutions.

Carried.

On motion of Senator Francis, Senate File No. 164, a bill for an act to prevent and punish interfering with and enticing from any state institution or home or place of employment any ward of the state and providing for the punishment of violation of the act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Francis 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 ayes were:

Allen, Arney, Balluff, Boe, Clarkson, Crist, Darrah, Dunnegan, Farr, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream, Robinson, Savage, Schrup, Smith, Sullivan, Taylor, White, Wilson of Appanoose—33.

The nays were:

Doran, Quigley—2.

Absent or not voting:

Ames, Balkema, Chase, Cowles, Crow, DeWolf, Fellows, Hagemann, Jewell, McManus, Sheean, Spaulding, Thomas, Webber, Wilson of Clinton—15.

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

On motion of Senator Arney, Senate File No. 85, a bill for an act to amend section seven hundred and ninety-three (793) of the code relating to street improvements, sewers and special assessments, was taken up and considered.

Senator Arney moved that the Senate concur in the following House amendment:

Amend section one by striking from line one immediately following the word "code" the following words and figures, "of 1897."

On the question, "Shall the Senate concur in the House amendment?"

The ayes were:

Allen, Ames, Arney, Balluff, Boe, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Francis, Garrett, Gillette, Heald, Hil-

singer, Jones, Kimball, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose—35.

The nays were:

None.

Absent or not voting:

Balkema, Chase, Cowles, Crow, DeWolf, Fellows, Hagemann, Jewell, Larrabee, McManus, Quigley, Sheean, Thomas, Webber, Wilson of Clinton—15.

So the House amendments having received a constitutional majority were declared concurred in.

Senator Robinson moved that Special Order No. 1, House Joint Resolution No. 6 be made a special order for Friday at 10:30 A. M.

Carried.

On motion of Senator Heald, Senate File No. 57, a bill for an act to authorize the location, use and construction of lines for the transmission of electric current or energy and the erection of the poles, wires, insulators, towers and other necessary construction therefor and the procuring of and making compensation for the right of way for said transmission line, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Heald moved that the substitute for the original bill be adopted.

Adopted.

Senator Heald offered the following amendment and moved its adoption:

I move to amend section 1 by adding at the end thereof in line thirty the following: "When any individual, company, or corporation shall avail themselves of the privilege herein conferred, the use by such individual, company, or corporation of the lands or easements so condemned shall be held to be a public use, sub-

ject to such reasonable regulation as the legislature may from time to time prescribe."

Adopted.

Senator Heald offered the following amendment and moved its adoption:

I move to amend section two by striking out the words "such person or corporation" in the third and fourth lines thereof, and by inserting the word "as" between the words "had" and "in" in the sixth line thereof, and by substituting for the word "or" where it occurs first in line seven thereof, the word "and".

Adopted.

Senator Heald offered the following amendment and moved its adoption:

I move to substitute for section three thereof, the following: "Sec. 3. If the person over whose lands said transmission line passes, claims more damages for the rights which the district court has authorized the petitioner to acquire than the proprietor of such line is willing to pay, the amount thereof may be determined in the manner provided for taking private property for works of internal improvement in chapter four (4) of title ten (10) of the code and amendments thereto."

Adopted.

Senator Heald offered the following amendment and moved its adoption:

I move to amend section six (6) by striking out the word "conducted" in the first line thereof and substituting therefor the word "constructed".

Adopted.

Senator Heald offered the following amendment and moved its adoption:

I move to amend the bill by numbering the last paragraph, the publication clause, section 7.

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

Senate Concurrent Resolution relative to extending congratulations to President Wilson.

A. C. GUSTAFSON,
Chief Clerk.

On request of Senator Farr, leave of absence was granted Senator Sheean for two days.

On request of Senator Crist, leave of absence was granted Senator Thomas for the day.

On request of Senator Nye, leave of absence was granted Senator Fellows for the day.

On request of Senator Garrett, leave of absence was granted Senator Crow for the day.

Senator Schrup filed the following motion:

I move to reconsider the vote by which Senate File No. 104 failed to pass.

N. J. SCHRUP.

Senator Mattes, from the committee on Appropriations, returned to the Senate, House File No. 6.

Senator Dunnegan 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 5, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. C. K. Corkill, New Virginia, Iowa.

PETITIONS AND MEMORIALS.

Senator Crist presented a remonstrance of citizens of Clarke county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crist presented a remonstrance of citizens of Clarke county opposing House File No. 262, by Craig, and Senate File No. 131, by Chase.

Referred to committee on Schools.

Senator Doran presented a remonstrance of citizens of Story county opposing the school book lobby bill as proposed in House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Doran presented a remonstrance of citizens of Boxholm No. 2433, Mine Workers of America, asking the enactment of a law requiring the purchase of coal from Iowa industries by boards of managers of Iowa institutions.

Referred to committee on Board of Control and its Institutions.

Senator Doran presented a remonstrance of citizens of Boxholm and Pilot Mound protesting against the establishment of a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a remonstrance of citizens of Muscatine county opposing Senate File No. 131.

Referred to committee on Schools.

Senator Balkema presented a remonstrance of citizens of Sutherland opposing the permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a remonstrance of citizens of Crawford county protesting against the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Crow presented five remonstrances of citizens of Logan, Denison, Ute and Mondamin protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a petition of citizens of Woodbine urging the passage of House File No. 364, in regard to the sale of dangerous drugs.

Referred to committee on Pharmacy.

Senator McColl presented a remonstrance of citizens of Dallas county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Nye presented a remonstrance of citizens of Adams and Taylor counties and members of the Corn Belt Meat Association opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Cowles presented a remonstrance of citizens of Des Moines county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Appanoose presented a remonstrance of citizens of Appanoose county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Allen presented a remonstrance of citizens of Humboldt county opposing any change in the present school laws in regard to text books.

Referred to committee on Schools.

Senator Allen presented a remonstrance of citizens of Pocahontas county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balluff presented a remonstrance of citizens of Scott county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator White presented a remonstrance of citizens of Iowa county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Thomas presented a remonstrance of citizens of Decatur county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Chase presented a remonstrance of citizens of Galt protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Neal presented a remonstrance of citizens of Mount Pleasant, Riverside and Wayland protesting against the permanent tax commission.

Referred to committee on Ways and Means.

Senator Chase presented a petition of citizens of Clarion urging the passage of House File No. 479 and Senate File No. 333.

Referred to committee on Commerce and Trade.

Senator Sullivan presented a petition of members of Local Union No. 1140, Mine Workers of America, asking the enactment of a law requiring the boards of managers of Iowa institutions to purchase their fuel supply of Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Sullivan presented a petition of members of Division 525, Brotherhood of Locomotive Engineers, favoring the passage of Senate File No. 102.

Referred to committee on Railroads.

Senator Dunnegan presented a remonstrance of citizens of Fremont and Page counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Savage presented a remonstrance of citizens of Madison county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balluff presented a remonstrance of citizens of Scott county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Ames presented a remonstrance of citizens of Vinton and Shellsburg opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Kimball presented a remonstrance of citizens of Macedonia opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hagemann presented a petition of citizens of Waverly and vicinity favoring the passage of the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Hagemann presented a remonstrance of citizens of Bremer and Butler counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hagemann presented a remonstrance of citizens of Bremer and Butler counties opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Wilson of Clinton presented a petition of teachers of the Clinton county schools favoring the teachers' annuity fund bill.

Referred to committee on Schools.

Senator Neal presented a remonstrance of citizens of Noble, Riverside and Washington opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator White presented a remonstrance of citizens of Corn Belt Meat Producers' Association opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Chase presented a remonstrance of citizens of Hamilton county opposing House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Francis presented a remonstrance of citizens of Spirit Lake, Iowa, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a remonstrance of citizens of Promise City opposing a permanent tax commission for the state of Iowa.

Referred to committee on Ways and Means.

Senator Clarkson presented a remonstrance of citizens of Pleasantville, Knoxville, Pella, Bussey and Otley opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Clarkson presented a petition of citizens of Marysville asking the passage of House File No. 364.

Referred to committee on Pharmacy.

Senator Larrabee presented a remonstrance of citizens of Calhoun and Webster counties opposing passage of House File No. 262 relating to text books.

Referred to committee on Schools.

Senator Larrabee presented a remonstrance of citizens of Gowrie, Iowa, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Clarkson presented a petition of United Mine Workers of America, District No. 13, asking for the enactment of a law requiring boards of managers of Iowa institutions to purchase their fuel from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Quigley presented a remonstrance of citizens of Clayton county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Ames presented a petition of teachers of Tama county favoring the state annuity teachers' fund.

Referred to committee on Schools.

Senator Farr presented a remonstrance of citizens of Moville opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hilsinger presented a remonstrance of citizens of Jackson county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Appanoose presented a remonstrance of citizens of Mystic opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Clinton presented a remonstrance of citizens of DeWitt, Lost Nation and Grand Mound opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balluff presented a remonstrance of citizens of Scott county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Savage presented a remonstrance of citizens of Adair county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Larrabee presented a petition of citizens of Fort Dodge favoring the passage of the Burt bill, relative to moving picture shows.

Referred to committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Wilson of Appanoose, by request, Senate File No. 350, a bill for an act to provide for the appointment of a commission to select and draw grand and petit jurors, including talesmen, in counties having a city with a population of over twenty-five thousand (25,000) and prescribing the duties thereof.

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

By Senator Legel, Senate File No. 351, a bill for an act to promote horticulture by the creation of new and better adapted varieties through scientific cross-breeding and selection, and to make an appropriation therefor.

Read first and second time and referred to committee on Horticulture and Forestry.

By Senator Balkema, Senate File No. 352, a bill for an act to repeal section three (3) of chapter one hundred eighty-four (184) of the acts of the Thirty-third (33) General Assembly, and to enact a substitute therefor relative to notice of publication in certain school elections, and prescribing form of ballot.

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

Journal of February 26th was taken up, corrected and approved.

Journal of March 4th was taken up, corrected and approved.

HOUSE MESSAGES CONSIDERED.

Senator Allen called up for consideration Senate concurrent resolution relative to greetings and congratulations to President Woodrow Wilson and moved that the Senate concur in the following House amendment:

Amend Senate concurrent resolution by adding the following: "Be it further resolved that the chief clerk of the House and the secretary of the Senate be instructed to wire the substance of these resolutions to President Wilson today and to send him copies of the resolutions by mail."

Carried.

Senator Allen moved that the resolution as amended be adopted.

Carried.

REPORTS OF COMMITTEES.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 28, a bill for an act making an appropriation of five hundred dollars for Henry H. Rood on account of special services rendered to the Iowa Vicksburg Park Monument Commission in the erection of the state memorial on the Vicksburg National Military Park, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Senator Neal, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate File No. 229, a bill for an act to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organization and in the navy from Iowa during the civil war, at a home coming during the state G. A. R. encampment at Des Moines, Iowa, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the words "to entertain the" in the fourth (4th) line of section one (1) and inserting in lieu thereof the words: "for the board and subsistence of the"; and when so amended the bill do pass.

S. W. NEAL,
Chairman.

Senator Neal moved the adoption of the report of the committee and that the bill be referred to committee on Appropriations.

Adopted.

So the bill was referred to committee on Appropriations.

Senator Arney, from the committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Educational Institutions, to whom was referred Senate File No. 145, a bill for an act to establish and maintain another State Normal School for the special instruction and training of teachers for the common schools of the state, providing for the donation of a site therefor and providing for the teaching of certain branches in said school, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

W. H. ARNEY,
Chairman.

Senator Arney moved the adoption of the report of the committee.

On this motion a roll call was demanded.

Those favoring the motion were:

Allen, Arney, Balkema, Balluff, Chase, Clarkson, Crow, DeWolf, Doran, Fellows, Francis, Garrett, Jones, Larrabee, Legel, Mattes, Neal, Perkins, Spaulding, Webber, Wilson of Clinton—21.

The nays were:

Darrah, Dunnegan, Farr, Malmberg, McColl, Smith, Taylor, Thomas, Wilson of Appanoose—9.

Absent or not voting:

Ames, Boe, Cowles, Crist, Gillette, Hagemann, Heald, Hilsinger, Jewell, Kimball, McManus, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Sullivan, White—20.

Carried.

So the bill was indefinitely postponed.

Senator Francis moved that Calendar No. 1, Senate File No. 111, be made a special order for Friday, March 7th, at 10 o'clock A. M.

Carried.

THIRD READING OF BILLS.

On motion of Senator Smith, Senate File No. 122, a bill for an act to establish three additional state normal schools, to have state board of education locate the same, select and secure sites therefor, and making appropriation for the purchase of said sites, was taken up and considered.

On the motion of Senator Smith, filed on February 21st, to reconsider the vote by which the report of the committee was adopted, a roll call was demanded.

Those favoring the motion to reconsider were:

Crist, Darrah, Dunnegan, Farr, Francis, Malmberg, McColl, Neal, Smith, Taylor, Thomas, Webber, Wilson of Appanoose—13.

The nays were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Crow, DeWolf, Doran, Fellows, Hagemann, Hilsinger, Jones, Larrabee, Legel, Mattes, Nye, Perkins, Quigley, Savage, Schrup, Spaulding, Sullivan, White, Wilson of Clinton—27.

Absent or not voting:

Boe, Garrett, Gillette, Heald, Jewell, Kimball, McManus, Ream, Robinson, Sheean—10.

So the motion to reconsider was lost.

On motion of Senator Sullivan, Senate File No. 219, a bill for an act to provide for the transfer to the city or town treasurer of unclaimed funds in the treasury of the county where such unclaimed funds are the proceeds of an invalid tax levied to pay for the construction of an electric light plant for such city or town and making the same a part of the general fund of such city or town, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Sullivan moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hagemann, Jones, Kimball, Larrabee, Malmberg, McColl, Neal, Nye, Perkins, Quigley, Savage, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Boe, DeWolf, Gillette, Heald, Hilsinger, Jewell, Legel, Mattes, McManus, Ream, Robinson, Sheean, Webber—13.

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

On motion of Senator Spaulding, substitute for Senate File No. 266, a bill for an act to amend the law as it appears in section seven hundred forty-one-o (741-o), supplement to the code, 1907, relating to the election of city hospital trustees, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Spaulding moved that the substitute for the original bill be adopted.

Adopted.

Senator Spaulding 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins, Quigley, Savage, Schrup, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Boe, Cowles, DeWolf, Gillette, Heald, Jewell, Mattes, McManus, Ream, Robinson, Sheean, Smith—12.

Senator Spaulding moved that the following title to Senate File No. 266 be adopted:

"A bill for an act to amend the law as it appears in section seven hundred forty-one-o (741-o) supplement to the code, 1907 relating to the election of city hospital trustees."

Carried.

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

On motion of Senator Clarkson, House File No. 1, a bill for an act to amend the law as it appears in sections ten hundred eighty-seven-a-ten (1087-a-10), ten hundred eighty-seven-a-twenty-two (1087-a-22), and ten hundred eighty-seven-a-twenty-seven (1087-a-27), of the supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, section eleven hundred six (1106) of the supplement to the code, 1907, and sections eleven hundred fifty (1150), eleven hundred fifty-one (1151), eleven hundred fifty-seven (1157), and eleven hundred sixty-two (1162) of the code, and repealing chapter one (1) of the acts of the special session of the Thirty-second General Assembly, and enacting a substitute therefor, all relating to the nomination of candidates for the office of senator in the congress of the United States and of the canvass of the vote for senator in the congress of the United States, and providing for nominations for such office in case of vacancy, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clarkson 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 ayes were:

Allen, Arney, Balkema, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Dunnegan, Fellows, Francis, Garrett, Hagemann, Jones, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Quigley, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

Ames, Cowles, Doran, Farr, Hilsinger, Kimball, Savage, Webber —8.

Absent or not voting:

Balluff, Boe, Gillette, Heald, Jewell, Mattes, Perkins, Ream, Robinson, Sheean—10.

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

Senator Wilson of Appanoose filed the following motion:

I move to reconsider the vote by which House File No. 1 passed the Senate.

J. M. WILSON.

EXPLANATION OF VOTE.

Senator Smith filed the following explanation of his vote on House File No. 1:

"I vote aye on Senate File No. 1 because the Iowa Republican platform of Iowa of 1912 declared for the law of this character. Otherwise I would have voted 'no,' especially as amendment to constitution will doubtless be ratified authorizing such election direct by the people."

THIRD READING OF BILLS.

On motion of Senator McColl, Senate File No. 192, a bill for an act additional to chapter 5, title 10 of the code to require locomotives to be equipped with headlight, to prescribe the character of such headlights and to punish the failure to so equip the same, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator McColl moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator McColl moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis,

Garrett, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Malmberg, McColl, McManus, Neal, Nye, Perkins, Quigley, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

Legel, Savage—2.

Absent or not voting:

Boe, DeWolf, Gillette, Heald, Jewell, Mattes, Ream, Robinson, Sheean—9.

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

On motion of Senator Francis, Senate File No. 24, a bill for an act to indemnify Clara Bahls for personal injury sustained by her while at work in the laundry while attending the institution for the deaf and dumb at Council Bluffs, Iowa, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Francis moved that the substitute for the original bill be adopted.

Adopted.

Senator Francis moved that the following amendment be adopted:

That the following words in section one be struck out from the first and second lines, "the moneys of this state" and in lieu thereof the following be substituted, "any moneys in the state treasury".

Adopted.

The bill as amended was read for information.

Senator Francis moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Perkins, Quigley, Savage, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Ames, Boe, Crow, Gillette, Heald, Jewell, Mattes, Ream, Robinson, Sheean—10.

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

On request of Senator Sullivan, leave of absence was granted Senator Robinson for the day.

On request of Senator Sullivan, leave of absence was granted Senator Heald for the day.

On request of Senator Sullivan, leave of absence was granted Senator Ream for the day.

On request of Senator Sullivan, leave of absence was granted Senator Boe for the day.

On request of Senator Sullivan, leave of absence was granted Senator Gillette for the day.

THIRD READING OF BILLS.

On motion of Senator Taylor, Senate File No. 213, a bill for an act to amend section four thousand nine hundred and ninety-nine-a-thirty-five (4999-a-35) supplement to the code, 1907, as amended by chapter one hundred seventy-six (176) of the acts of the Thirty-fourth (34th) General Assembly, relating to the pure drug act,

with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Taylor moved the adoption of the following amendments:

By striking out of said bill all of the same from and after the word "following" in the sixth line after the enacting clause of said bill and substituting therefor the following:

"Any person, firm, corporation, or association who will attempt to sell or in any wise dispose of any proprietary remedy or medicine purported to cure the disease commonly known as tuberculosis, or consumption, or the disease commonly known as cancer, who shall in any way publish, disseminate, circulate or place before the public or cause directly or indirectly to be made public, in this state, in any newspaper, or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet or letter, or in any other way, an advertisement of any sort purporting to cure said diseases, which advertisement contains any assertion, representation, statement or fact, which is untrue, deceptive or misleading shall be guilty of a misdemeanor."

Adopted.

The bill as amended was read for information.

Senator Webber moved that the bill be made a special order for Tuesday, March 11, at 10:30.

Carried.

On motion of Senator Dunnegan, Senate File No. 231, a bill for an act to amend the law as it appears in chapter eighty-three (83) acts of the Thirty-third (33d) General Assembly relating to the issuance of bonds in cities and towns, was taken up and considered.

On the motion of Senator Dunnegan, filed on March 4th, to reconsider the vote by which Senate File No. 231 failed to pass the Senate, a roll call was demanded.

Those favoring the motion to reconsider were:

Allen, Balluff, Chase, Crow, Darrah, Dunnegan, Farr, Fellows, Francis, Kimball, Legel, Malmberg, Neal, Nye, Quigley, Savage, Smith, Sullivan, Thomas, White, Wilson of Appanoose—21.

The nays were:

Ames, Balkema, Clarkson, Cowles, Doran, Garrett, Hagemann, Jones, Larrabee, Mattes, Perkins, Spaulding, Webber, Wilson of Clinton—14.

Absent or not voting:

Arney, Boe, Crist, DeWolf, Gillette, Heald, Hilsinger, Jewell, McColl, McManus, Ream, Robinson, Schrup, Sheean, Taylor—15.

So the motion prevailed.

Senator Dunnegan moved that Senate File No. 231 be made a special order for Thursday, March 6th, at 11:30 A. M.

Carried.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 316, a bill for an act to legalize the adoption of certain propositions at an election of the county of Wapello, state of Iowa, with the effect of authorizing the board of supervisors of said county to purchase land for an addition to the county home farm of said county, and to incur indebtedness for the purchase of such land, and to levy a continuing annual tax to provide for the payment of such indebtedness, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 10, a bill for an act to repeal paragraph thirty (30) of section two hundred ninety-six (296) of the Supplement to the Code, 1907, and to repeal chapter fourteen (14) of the acts of the Thirty-fourth (34th) General Assembly, and to enact a substitute therefor, relating to the fees to be collected and paid to the clerk of the district court in certain cases, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 291, a bill for an act to legalize conveyances of real property by foreign executors or trustees under foreign wills where the provisions of section 3295 of the Code were not observed or complied with, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 189, a bill for an act legalizing and curing the acts and proceedings of the incorporated town of Sheldahl and the town council of the said incorporated town, in the county of Cherokee and state of Iowa, in relation to the establishment, erection, maintenance and operation of a system of water works and a gas plant and the issuance of bonds and warrants of said town in payment thereof, and authorizing the town council of said town to issue bonds for the purpose of taking up its floating indebtedness represented by its bonds and warrants, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 162, a bill for an act to legalize the special election held in the town of Calmar, Iowa, on the 16th day of October, 1911, wherein there was submitted to the voters of said town the question of issuing bonds in the sum of five thousand dollars ($5,000.00) for the purpose of erecting a system of gas works and to validate and legalize the bonds issued in pursuance of said election, beg leave to report they

have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Senator Ames, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate File No. 234, a bill for an act to encourage corn and small grain growing in the state of Iowa and to aid in conducting an exposition and convention of the grain growers of the state and to make an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Appropriations with the recommendation that same do pass.

A. L. AMES,
Chairman.

Senator Ames moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 61, a bill for an act to provide additional funds for the Soldiers' Home, the Industrial School for Boys, the Industrial School for Girls, the State Penitentiary and the Reformatory.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled Senate File No. 61, a bill for an act to provide additional funds for the Soldiers' Home, the Industrial School for Boys, the Industrial School for Girls, the State Penitentiary and the Reformatory.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

Senator Spaulding moved that Florence E. Ward of Cedar Falls, chairman educational committee, Iowa Federation of Women's Clubs, be invited to address the Senate.

Carried.

Miss Ward briefly addressed the Senate on the purposes and aims of the Iowa Federation of Women's Clubs.

Senator Francis offered the following motion and moved its adoption:

"I move that hereafter in making up the calendar the secretary of the Senate show upon the calendar at the proper place the page of the Senate or House Journal upon which any substitute bill or amendment to a bill appears, and the title in full be published."

Carried.

INTRODUCTION OF BILLS.

By Senator Chase, Senate File No. 353, a bill for an act providing for the record title of lands granted to the Dubuque and Pacific Railroad company.

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

By Senator Sullivan, Senate File No. 354, a bill for an act to amend the law as it appears in section thirty-five hundred thirty-four (3534) of the code relating to service of original notice by publication.

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

By Senator Sullivan, Senate File No. 355, a bill for an act to amend the law as it appears in section four thousand nine hundred seventy-five-c (4975-c) of the supplement to the code, 1907, relating to soliciting for the purpose of prostitution.

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

By Senator Francis, Senate File No. 356, a bill for an act to amend chapter two hundred twenty-seven (227) of the acts of the Thirty-third General Assembly, amendatory of section five thousand two hundred eighty-nine (5289) of the code, relating to the sufficiency of indictments and the waiver of objections thereto.

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

Senator Smith moved that Senate do now adjourn until 10 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 6, 1913.

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

Prayer was offered by Rev. Oscar F. Dahlberg, Odebolt, Iowa.

PETITIONS AND MEMORIALS.

Senator Crow presented a remonstrance of citizens of Crawford county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Fellows presented remonstrance of citizens of Allamakee and Fayette counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Fellows presented a petition of citizens of Oelwein, Iowa, favoring the passage of the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Fellows presented two remonstrances of citizens of Fayette and Allamakee counties opposing House File No. 262 and Senate File No. 131; also House File No. 130. Also petition from teachers of Allamakee county favoring the state annuity fund bill.

Referred to committee on Schools.

Senator Wilson of Appanoose presented a remonstrance of citizens of Pulaski, Numa, Bloomfield and Stiles opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Clarkson presented a remonstrance of citizens of Marion county protesting against the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Mattes presented a remonstrance of citizens of Templeton, Iowa, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balkema presented a remonstrance of citizens of George and Rock Rapids opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Malmberg presented a remonstrance of citizens of Jasper county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Malmberg presented a petition of citizens of Jasper county asking legislation authorizing cities and towns to purchase, build, own and operate telephone lines and exchanges, etc.

Referred to committee on Public Utilities.

Senator Ream presented a remonstrance of citizens of Bussey, Oskaloosa, Rosehill, Cedar, Fremont and New Sharon protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Heald presented a remonstrance of voters of Linn county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator McManus presented a remonstrance of citizens of Lee county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Crist presented a remonstrance of citizens of Swan protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Neal presented a remonstrance of citizens of Henry county protesting against the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Balkema presented a petition of citizens of Sioux Center urging the passage of House File No. 364.

Referred to committee on Pharmacy.

Senator Clarkson presented a remonstrance of citizens of Dallas protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Neal presented a remonstrance of citizens of Henry county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a remonstrance of citizens of Louisa and Henry counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Spaulding presented a remonstrance of citizens of Poweshiek county and from the Corn Belt Meat Producers' Association opposing a permanent tax commission.

Referred to committee on Ways and Means.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House File No. 224, a bill for an act to amend section 1989-a-41 of the Supplement of the Code, 1907, and amendments thereto, relative to the compensation to be paid appraisers of damages and commissioners of drainage districts.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 177, a bill for an act to legalize certain warrants of the city of Marshalltown, Iowa.

A. C. GUSTAFSON,
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 amend section 615 of the Supplement to the Code, 1907, relative to the extension of the limits of cities and towns.

A. C. GUSTAFSON,
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. 135, a bill for an act to amend the law as it appears in chapter 64, acts of the Thirty-third General Assembly, relating to the government of certain cities.

A. C. GUSTAFSON,
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 Senate is asked:

House File No. 157, a bill for an act to amend section 2584 of the Code; to repeal section 2589-a, Supplement to the Code, 1907, as amended by section 21 of chapter 123, laws of the Thirty-fourth General Assembly, and to enact a substitute therefor; to repeal section 2585 of the Supplement to the Code, 1907, as amended by chapter 123 of the acts of the Thirty-fourth General Assembly, and enact a substitute therefor.

A. C. GUSTAFSON,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Legel presented a petition of citizens of Charles City favoring a law to prohibit the building of permanent culverts less than 20 feet wide.

Referred to committee on Roads and Highways.

Senator Chase presented a remonstrance of citizens of Hamilton county opposing passage of House File No. 262, by Craig, and Senate File No. 131, by Chase.

Referred to committee on Schools.

Senator Chase presented a remonstrance of citizens of Wright county opposing the "good roads bill."

Referred to committee on Roads and Highways.

Senator Ames presented a remonstrance of citizens of Benton and Tama counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a remonstrance of citizens of Story county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Quigley presented a remonstrance of citizens of Clayton opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Francis presented a remonstrance of citizens of Kossuth county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Francis presented a remonstrance of citizens of Kossuth county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Smith, Senate File No. 357, a bill for an act to amend chapter sixty-two (62) of the acts of the Thirty-fourth (34th) General Assembly by striking out the last four (4) lines of section one (1) of said chapter and enacting a substitute therefor relating to the exemption from taxation of property of an honorably discharged union soldier or sailor of the Mexican war of the war of the rebellion or of the widow of such soldier or sailor.

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

By Senator Smith, Senate File No. 358.

A BILL FOR AN ACT Legalizing a Resolution Passed by the Council of the City of Atlantic on February Twenty-seventh (27th), Nineteen Hundred Thirteen (1913), Transferring the Sum of Eighteen Hundred Dollars ($1800.00) From the Sewer Fund of Said City to the General Fund of Said City of Atlantic, Iowa, and Legalizing Such Transfer.

WHEREAS: On the 5th day of September, 1911, the city council of Atlantic, Iowa, by resolution provided for the raising of a sewer fund with which to remedy an overflow condition on Chestnut street, between Ninth and Tenth streets in said city, and providing for the construction of a storm sewer at said point and that there has been realized from said levy the sum of nineteen hundred fifty-six dollars and ninety-seven cents ($1956.97); and,

WHEREAS: A controversy arose in reference to the construction of said storm sewer and as to whether such construction was the proper way in which to remedy the overflow conditions at such point, and litigation was had in reference thereto, and thereafter a settlement was made whereby instead of constructing a storm sewer the grade at said point was changed and the street and sidewalks raised at a cost of eighteen hundred dollars ($1800.00) and said improvement was paid for from the general fund of said city instead of from the sewer fund specifically provided for that purpose; and,

WHEREAS: The council of the city of Atlantic on February 27, 1913, passed the following resolution:

"*Be it resolved,* That the city council of the city of Atlantic, Iowa, hereby transfers from the sewer fund the sum of eighteen hundred dollars ($1800.00) to the general fund to comply with the original intention and purpose in increasing the said sewer levy on September 11, 1911, and the proper officers of the said city of Atlantic, Iowa, are hereby authorized and directed to make the said transfer as above." And,

WHEREAS: Doubts have arisen as to the legality of said resolution and the legality of said city council in so making the transfer of said fund; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the act of the city council of the city of Atlantic, Iowa, on February 27, 1913, in passing the foregoing resolution and making a transfer of said eighteen hundred dollars ($1800.00) from the sewer fund to the general fund is hereby legalized and made binding and effective, with the same force and effect as though there was a law upon the statute book at the time authorizing and empowering said city council of the city of Atlantic, Iowa, to pass said resolution and make transfer of said fund.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Capital, a newspaper published in Des Moines, Iowa, and the Atlantic News-Telegraph, a newspaper published at Atlantic, Iowa, said publication to be made without expense to the state.

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

By Senator Wilson of Appanoose, Senate File No. 359, a bill for an act to amend section 1789 of the code, 1897, relative to a change of the beneficiary.

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

Unanimous consent was given Senator Smith to withdraw Senate File No. 314 from further consideration by the Senate.

INTRODUCTION OF BILLS.

By Senator McManus, Senate File No. 360, a bill for an act to provide for the improvement of the water and harbor fronts of incorporated or chartered cities and towns situated on navigable waterways within or bordering on the state of Iowa; for the acquirement, construction, maintenance and operation of public docks, and for the acquirement by condemnation or otherwise of lands or rights or interest therein for same; to create a department to be administered by a board to carry on such work and to regulate and control the construction, maintenance and operation of belt railways, wharves, docks, slips, quay walls, piers, basins, other water-front lands or rights or interests therein, in said cities and

towns; to authorize the issuance and sale of bonds and to levy a tax for carrying out the above purposes.

Read first and second time and referred to committee on Cities and Towns.

By Senator McManus, Senate File No. 361, a bill for an act to repeal section three hundred (300) of the code, and amend chapter nine (9) article four (4) of the code, relating to duties of county officers.

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

By Senator McManus, Senate File No. 362, a bill for an act to authorize the board of supervisors of counties to compel persons or corporations owning or operating railroads, to construct viaducts over railroads at crossings of highways and to construct tunnels under railroads for the passage of highways.

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

By Senator Kimball, Senate File No. 363, a bill for an act for the purpose of having a patent issued in the name of T. F. McCaffery for a certain tract of land.

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

By Senator Kimball, Senate File No. 364, a bill for an act providing for the protection and safety of persons employed in or being about the construction, repairing, alteration or removal of buildings, bridges, viaducts, and other structures, providing means for the enforcement of said act, for recovery of damages by persons injured by a failure to comply with its provisions and providing penalties for violations of its provisions.

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

By Senator Perkins, Senate File No. 365, a bill for an act to prevent fraud in the manufacture and sale of commercial fertilizers, providing for licensing of such products and making provision for enforcement.

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

By Senator Malmberg, Senate File No. 366, a bill for an act to amend section 3447 of the code, relating to the limitation of actions to set aside wills.

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

By Senator Cowles, Senate File No. 367, a bill for an act relating to levees, drains, ditches and water courses additional to chapter two (2), title X of the code and amendments thereto and to chapter two-a (2-a), title X of the supplement to the code, 1907, and amendments thereto and amending section one thousand nine hundred eighty-nine-a-twenty-one (1989-a-21) and section one thousand nine hundred eighty-nine-a-fifty-two (1989-a-52) of the supplement to the code, 1907, and section one thousand nine hundred eighty-nine-a-forty-nine (1989-a-49) as amended by section seven (7) chapter eighty-seven (87) laws of the Thirty-fourth General Assembly.

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

By Senator Darrah, Senate File No. 368, a bill for an act to require the registration of charitable organizations soliciting public aid and providing penalty for the violations thereof.

Read first and second time and referred to committee on Charitable Institutions.

By Senator Allen, Senate File No. 369, a bill for an act fixing the standard of qualifications of all persons desiring to practice mechanical therapy and for the regulation thereof; to create a state board of mechanical therapeutics examiners, and to provide for the registration of those entitle to practice mechanical therapy, and providing penalties for violation of any of the provisions thereof.

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

By Senator Francis, Senate File No. 370, a bill for an act to amend section forty seven hundred fifty-nine (4759) of the code relating to the crime of abortion.

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

By Senator Francis, Senate File No. 371, a bill for an act amending the law as it appears in section two thousand seven hundred twenty-seven-a-fifty-nine (2727-a-59), a-sixty-two (a-62) and a-sixty-six (a-66) of the supplement to the code, 1907, relating to the care and control by the board of control of private hospitals and patients therein.

Read first and second time and referred to committee on Board of Control and its Institutions.

Senator Darrah moved that 400 extra copies of Senate File No. 67 be printed.

Carried.

Senator Wilson of Appanoose moved that 500 extra copies of Senate File No. 203 be printed.

Carried.

President Harding announced that there is a vacancy on the Allison Monument Commission, and by virtue of section 251, of the acts of the Thirty-third General Assembly, the power to fill such vacancy is vested in the office of lieutenant governor, and that by virtue of such power, he had appointed Senator Nicholas J. Schrup of Dubuque as a member of that commission.

HOUSE MESSAGES CONSIDERED.

House File No. 224, a bill for an act to amend section 1989-a-41 of the supplement to the code, 1907, and amendments thereto relative to the compensation to be paid appraisers of damages and commissioners of drainage districts.

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

House File No. 177, a bill for an act to legalize certain warrants of the city of Marshalltown, Iowa.

Passed on file.

House File No. 48, a bill for an act to provide for the publication of certain notices in cities or towns having no newspaper.

Passed on file.

House File No. 135, a bill for an act to amend the law as it appears in chapter sixty-four (64) acts of the Thirty-third General Assembly, relating to the government of certain cities.

Passed on file.

House File No. 157, a bill for an act to repeal section 1, chapter 123, laws of the Thirty-fourth General Assembly; to repeal section 2, chapter 123, laws of the Thirty-fourth General Assembly and enact a substitute therefor; to repeal section 3 of chapter 123, acts of the Thirty-fourth General Assembly; to amend section 2587 of the code; to amend section 2594 of the code; to repeal section 2588 of the code and enact a substitute therefor; to amend section 2593, supplement to the code of 1907, relating to the practice of pharmacy and to the sale of drugs, medicines, poisons and chemicals.

Passed on file.

REPORTS OF COMMITTEES.

Senator Savage, from the committee on Public Schools, submitted the following report:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 283, a bill for an act to provide for and require instruction in public schools with reference to prevention of accidents, beg leave to report they have had the same under consideration and recommend the same do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled bills respectfully report that they have examined and find correctly enrolled Senate File No. 4, a bill for an act to repeal section twenty-eight hundred thirteen (2813), Supplement to the Code, 1907, and enacting a substitute therefor relating to bonded indebtedness of school corporations.

Also:

Senate File No. 47, a bill for an act to legalize the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and certain acts done and ordinances passed by the city council of said city.

Also:

Senate File No. 85, a bill for an act to repeal section seven hundred ninety-three (793) of the Code, relating to street improvement, sewers and special assessments and to enact a substitute therefor.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled bills respectfully report that they have examined and find correctly enrolled Senate File No. 4, a bill for an act to repeal section twenty-eight hundred thirteen (2813), Supplement to the Code, 1907, and enacting a substitute therefor relating to bonded indebtedness of school corporations.

Also:

Senate File No. 47, a bill for an act to legalize the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and certain acts done and ordinances passed by the city council of said city.

Also:

Senate File No. 85, a bill for an act to repeal section seven hundred ninety-three (793) of the Code, relating to street improvement, sewers and special assessments and to enact a substitute therefor.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

Senator Neal, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate File No. 200, a bill for an act to enable the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg, and to appropriate money therefor and provide for the disbursement thereof, beg leave to report they have had the same under consideration and recommend the same do pass and be re-referred to the committee on Appropriations with the request that it be reported for passage.

S. W. NEAL,
Chairman.

Senator Neal moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate File No. 182, a bill for an act to amend sections twenty-six (26) and forty-three (43) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly, known as "The Military Code of Iowa," beg leave to report they have had the same under consideration and recommend the same do pass, and be re-referred to the committee on Appropriations with request that it be reported for passage.

S. W. NEAL,
Chairman.

Senator Neal moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Senator Mattes, 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 to pension the survivors of the Spirit Lake Relief Expedition of 1857, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Senator Allen, 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. 176, a bill for an act to amend section one (1) of chapter sixty-eight (68) of the acts of the Thirty-fourth General Assembly, relating to the assessment and collection of a tax upon collateral estates, annuities, legacies, bequests, gifts, transfers and inheritances, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 176.

A BILL FOR AN ACT to Amend Section One (1) of Chapter Sixty-eight (68) of the Acts of the Thirty-fourth General Assembly, Relating to the Assessment and Collection of a Tax Upon Collateral Estates, Annuities, Legacies, Bequests, Gifts, Transfers and Inheritances.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section one (1) of chapter sixty-eight (68), of the acts of the Thirty-fourth General Assembly, be amended by adding thereto the following: "Real estate sold under order of court shall be released from the lien imposed by this act and the lien shall attach to the proceeds of such sale, provided that prior to the approval of such sale there shall have been given by the person making such sale a good and sufficient bond conditioned to secure the payment of all tax secured by the lien so released. This provision shall not be construed to relieve from personal liability any person owing such tax or whose duty it is to collect and pay such tax to the treasurer of state."; and when so amended the bill do pass.

J. H. ALLEN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate File No. 222, a bill for an act to amend the law relating to the penalty for failure to pay taxes when due as the same appears in Code section fourteen hundred thirteen (1413); and to amend the law relating to the redemption of real estate from tax sale as the same appears in Code section fourteen hundred thirty-six (1436); and to amend the law relating to tax sales of real estate by giving to counties the right to purchase real estate at tax sales and to own and dispose of the same, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. H. ALLEN,
Chairman.

Senator Allen moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

THIRD READING OF BILLS.

The time having arrived for special order, the Senate took up for consideration, Senate File No. 52, a bill for an act requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for failure to comply therewith, with report of committee recommending amendments and passage, and the report of the committee adopted.

The following amendment to section 2 was recommended by the committee on Railroads:

"SEC. 2. Failure to adjust and pay such claim within the period herein prescribed shall subject such common carrier to failing so the penalty of a sum which in amount shall be equal to twice the amount of the claim originally filed; provided, however, that said penalty shall in no case be less than twenty-five (25) dollars for each and every such failure to be recovered by any consignee or consignees aggrieved in any court of competent jurisdiction."

Senator Chase offered the following substitute for amendment to section 2 as recommended by the committee on Railroads and moved its adoption:

SEC. 2. Failure to adjust and pay such claim within the period herein prescribed shall subject the common carrier, so failing, to the penalty of a sum which in amount shall be equal to the amount of the claim originally filed; provided, however, that it shall in no case be less than $25 or more than $100 for each and every failure, to be recovered by the party aggrieved, in any court of competent jurisdiction. The penalty shall not apply unless the claimant shall recover the full amount claimed by him.

Adopted.

Senator Smith offered the following amendment as a substitute for the amendment to section 2 and moved its adoption:

I move as a substitute for all amendments to section 2, the following:

SEC. 2. Failure to adjust and pay a claim within the period herein prescribed shall subject such common carrier so failing to a penalty of twice the amount of such claim for each and every failure, providing that the full amount of such claim shall not be recovered in any action, but in no case shall the same be less than ten($10.00) dollars, nor more than one hundred dollars ($100.00), nor shall the amount of such penalty exceed the sum of one hundred dollars ($100.00) in any case, the same to be assessed by the court as part of the cost.

Senator Spaulding moved that the bill be re-referred to the committee on Judiciary with instructions to report same back to the Senate not later than Monday, March 10th.

Senator Heald raised the point of order that as time set for Special Order No. 2 had arrived, consideration of Special Order No. 1 was not in order.

The president held the point of order not well taken unless the next special order was called up by motion.

Senator Heald moved that the Senate take up for consideration Special Order No. 2.

Senator Heald withdrew his motion.

On the motion of Senator Spaulding to re-refer to the Judiciary committee, a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Balluff, Cowles, Crow, Fellows, Hagemann, Heald, Hilsinger, Kimball, Legel, Mattes, Nye, Perkins, Savage, Schrup, Smith, Spaulding, Webber, Wilson of Appanoose—20.

The nays were:

Arney, Balkema, Chase, Clarkson, Darrah, DeWolf, Doran, Dunnegan, Farr, Francis, Garrett, Jones, Larrabee, Malmberg, McColl, Neal, Quigley, Ream, Sullivan, Taylor, Thomas, White, Wilson of Clinton—23.

Absent or not voting:

Boe, Crist, Gillette, Jewell, McManus, Robinson, Sheean—7.

So the motion was lost.

Substitute amendment offered by Senator Smith was lost.

Senator Chase offered the following amendment to section 1, which was ordered printed in the Journal:

I move to amend by adding to section 1 the following: "And provided further that if such claim is not filed within 60 days from the time it accrues, the penalty provided in this act shall not apply."

Senator Taylor offered the following substitute for the bill and pending amendments, and moved its adoption:

SUBSTITUTE FOR SENATE FILE NO. 52.

A BILL FOR AN ACT Requiring Common Carriers to Settle Claims for Delay in Delivering Freight or Injury or Loss of Freight in Transit or for Excessive Freight Rates Within a Specified Time, and Providing a Penalty for Failure to Comply Therewith.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That every claim for loss of or damage to property while in the possession of any common carrier, or for delay in delivering freight or baggage or express or for a charge in excess of the legal and regular charge for the service rendered, shall be adjusted and paid within ninety days in case of shipments wholly within the state, and within one hundred and twenty days in case of shipments from without the state after the filing of such claim with the agent or agents of the carrier at the point

of destination of each shipment, provided that no such claim shall be filed until after the arrival of the shipment or of some part thereof at the point of destination, or until after the lapse of a reasonable time for the arrival thereof.

SEC. 2. Any person, firm or corporation desiring to avail themselves of the benefits of this act shall prepare a claim in writing supported by affidavit by the owner of the claim, which claim shall describe as near as possible the contents of the shipment, the date and place of shipment, and the destination, the name of the consignor and the consignee, and if the claimant has a bill of lading or shipping contract he shall attach the same or a copy thereof to said claim or state that he is unable to produce a copy thereof, and in case of car-load shipments the claimant shall give the number of the car if he knows, and in case he does not know, so state in his claim. He shall further describe in his claim the nature and extent of the damage or injury of which he complains and give to the carrier in said written claim such other detailed information as he may have at hand that will enable the carrier to promptly investigate the merits of the claim presented. And provided, however, that this act shall not apply to any claim or claims which are not presented to the carrier within sixty (60) days after cause of action in favor of the claimant has accrued.

SEC. 3. The claimant shall not be permitted under this act to divide his claim arising from loss, damage or injury to one shipment or consignment of goods, but only one claim within the meaning of this act shall be filed for the same or one shipment.

SEC. 4. This act shall only apply when the amount claimed is five hundred dollars or less.

SEC. 5. All penalties provided for in this act shall be recovered in the same cause of action brought for the recovery of damages and shall be taxed by the court as a matter of course in the amount as hereinafter specified, provided, however, that no penalty shall be taxed in any case where the claimant fails to recover the full amount for which he originally made claim against the carrier.

SEC. 6. When the consignor and consignee of the same shipment both claim to be entitled to the damages, if any, due from the carrier on account of loss or injury to a shipment, then the time within which said settlements are to be made by the carrier shall be computed from the date that the consignor and consignee notify the carrier that they have agreed as to which of said parties is entitled to receive the damages claimed.

SEC. 7. In those cases where the claimant is indebted to the carrier, the time within which the carrier shall be required to settle with the claimant as hereinbefore provided shall be computed from the date that the claimant either pays his indebtedness to the carrier, or states to the

carrier in writing that he is willing to have his indebtedness withheld from and deducted from the amount claimed by him as due from the carrier.

SEC. 8. Failure to adjust and pay any claim or claims within the periods herein prescribed shall subject such carrier so failing to a penalty of ten dollars on all claims of twenty-five dollars or less; fifteen dollars on all claims in excess of twenty-five dollars and not more than fifty dollars; twenty-five dollars on all claims in excess of fifty dollars and not more than one hundred dollars; thirty-five dollars on all claims in excess of one hundred dollars and not more than one hundred and fifty dollars; fifty dollars on all claims in excess of one hundred and fifty dollars and not more than two hundred dollars; seventy-five dollars on all claims in excess of two hundred and fifty dollars and not more than four hundred dollars; one hundred dollars on all claims in excess of four hundred dollars and not more than five hundred dollars.

Consideration of the bill was postponed.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 4, 85, 61 and 47.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 4, a bill for an act to repeal section twenty-eight hundred thirteen (2813), Supplement to the Code, 1907, and enacting a substitute therefor relating to bonded indebtedness of school corporations.

Also:

Senate File No. 47, a bill for an act to legalize the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and certain acts done and ordinances passed by the city council of said city.

Also:

Senate File No. 85, a bill for an act to repeal section seven hundred ninety-three (793) of the Code, relating to street improvement, sewers and special assessments and to enact a substitute therefor.

JOHN H. TAYLOR,
Chairman.

Passed on file.

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. 61, a bill for an act to provide additional funds for the Soldiers' Home, the Industrial School for Boys, the Industrial School for Girls, the State Penitentiary and the Reformatory.

JOHN H. TAYLOR,
Chairman.

Passed on file.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Sullivan, by request, Senate File No. 372, a bill for an act to amend section five thousand six (5006) of the code, relating to the sale of cigarettes.

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

By Senator Sullivan, Senate File No. 373, a bill for an act to amend section four thousand eight hundred ninety (4890) of the code relating to compounding lesser felonies and misdemeanors.

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

By Senator Sullivan, Senate File No. 374, a bill for an act to repeal section three hundred eight (308) of the supplement to the code, 1907, relating to the salary of county attorneys and enacting a substitute therefor.

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

By Senator Sullivan, by request, Senate File No. 375, a bill for an act to amend section four thousand six hundred twelve (4612) of the code relating to criminating questions propounded to witness in certain cases.

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

By Senator Francis, Senate File No. 376.

A BILL FOR AN ACT to Legalize Ordinances of the Town of Ayrshire, Iowa, and Authorizing the Substitution of a New Ordinance Record in Place of the Original Record.

WHEREAS: Doubts have arisen as to the validity of the ordinances adopted by the town of Ayrshire, Iowa, and as to their legality, because of certain errors and omissions in the passage thereof and also because the original record thereof has been lost or destroyed; and,

WHEREAS: The town council of the incorporated town of Ayrshire, Iowa, have caused said ordinances to be transcribed from the published copies thereof into a book known and designated as the "Ordinance Book of the Town of Ayrshire, Iowa," containing ordinances numbered from one to fourteen, both inclusive; now therefore.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the said ordinances of the town of Ayrshire, Iowa, designated as numbers one to fourteen, both inclusive, as transcribed from the published copies of said ordinances into said record book known as the "Ordinance Book of the Town of Ayrshire, Iowa," be and the same are hereby fully legalized and declared to be valid and of the same force and effect as if they had been in all respects adopted, approved, published and recorded in the form, manner and time provided by law and as if the law had in all respects been fully complied with and said transcript as certified by the clerk of said town, made from said published copies of ordinances as aforesaid, is hereby declared to be competent evidence of the said ordinances of the said town and such transcript shall have the same force as the original record, provided, however, that this act shall not affect any litigation.

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

By Senator Ream, Senate File No. 377, a bill for an act to amend section four thousand six hundred six (4606), chapter one (1), title twenty-three (XXIII) of the code of 1897 and the amendments thereto, in relation to husband and wife as witnesses.

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

REPORTS OF COMMITTEE.

Senator Jones, 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. 276, a bill for an act to reimburse innocent

persons who have been, or may be, convicted of crime and imprisoned in the state reformatory or state penitentiary, beg leave to report they have had the same under consideration and recommend the same do pass.

F. F. JONES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred House File No. 50, a bill for an act to amend section five thousand six hundred and fifty two (5652) of the Code, relating to hard labor by persons confined in jails, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

F. F. JONES,
Chairman.

Passed on file.

Senator DeWolf moved that the Senate do now adjourn until 1 P. M., today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1 o'clock P. M., President Harding presiding.

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

Senate proceeded to the House under the direction of the sergeant-at-arms.

JOINT CONVENTION.

The joint convention was called to order by President Harding, president of the joint convention, at 1:15 o'clock P. M.

The roll was called, and the following members responded as present:

Allen, Anderson of Montgomery, Anderson of Greene, Ames, Arney, Atkinson, Balkema, Barry, Bartle, Bauman, Bingham, Black, Blackford, Bliss, Boettger, Bradley, Brady, Brown, Bruce, Burt, Buxton, Cannon, Carson, Chapman, Clark, Clarkson, Cole, Craig, Crozier, Cunningham, Daniels, Darrah, Dawson, Dixon, Doran, Downey, Doze, Dunlap, Eggleston, Elliott, Elwood, Enger, Erickson, Farr, Fellows, Fraley, Greene of Grundy, Greene of Clinton, Griffin, Griggs, Grout, Hagemann, Hadley, Halgrims, Halstead, Hansen, Hazen, Heaton, Helming, Hilsinger, Huff, Huntley, Jacobs, Jacobson, Jamison, Jensen, Jones of Montgomery, Jones of Dickinson, Kane, Kelso, Kimball, Kingland, Klay, Koontz, Kulp, Larrabee of Webster, Larrabee of Fayette, Legel, Lenocker, LeRoy, Lounsberry, Lund, Malmberg, Manning, McCullough, McHose, McVicker, Meredith, Miller, Milton, Mitchell, Munro, Neal, Newcomb, Nye, Odendahl, Perkins, Peterson, Pickford, Quigley, Ream, Ring, Rohwer, Saltzmann, Scholz, Schrup, Scott, Shankland, Sherman, Sidey, Smith, Spaulding, Steelsmith, Stipe, Stokes, Stutt, Taylor, Thomas, Thompson, Townsend, Webber, White of Iowa, White of Benton, Whitney, Wilson of Clinton, Workman—126.

Those absent were:

Balluff, Bernbrock, Boe, Brockway, Chase, Cowles, Crist, Cronbaugh, Crow, DeWolf, Dunnegan, Francis, Garrett, Gillette, Hamilton, Heald, Hunt, Hutchins, Jewell, Mattes, McColl, McManus, Power, Robinson, Rone, Savage, Sheean, Sullivan, Trumbauer, Webb, Wilson of Appanoose—31.

President Harding announced the joint convention duly organized with a quorum of members present.

The joint convention was then addressed by Mr. Edwin G. Cooley of Chicago, on vocational training and continuation schools, in accordance with concurrent resolution duly adopted.

Senator DeWolf of Black Hawk moved that the remarks of Prof. Cooley be printed in the Journal, and that the legislature of Iowa in joint session extend to Prof. Cooley, thanks for his presence and address, and also express to him sympathy and encouragement in the great fight he is making to make education mean opportunity for the boys and girls of our neighboring state of Illinois.

Motion prevailed.

ADDRESS OF PROF. COOLEY.

Mr. President, Members of the Senate and House of Representatives and General Assembly.

Ladies and Gentlemen:—I appreciate fully the compliment of being asked to address this assembly of my native state on the important question of vocational education. You have conferred a great honor upon me and the body of men I represent by calling upon me to address you. I feel my inability to satisfy your expectations, but I could not refuse your kind invitation tendered in so complimentary a way. I hope I may be able to answer some of the questions you are asking about the future of the coming generations. I am profoundly interested in the question and my experience both as a teacher and as a mechanic and a business man give me some advantages in considering this question. I have tried to supplement this experience by an investigation of other peoples whose situation compelled them to study the question when we were driving blindly ahead relying upon our almost limitless natural wealth and native energy and ability. The time has come, however, to us—as it will to all others—when we must conserve both our natural and our human resources. This means we must develop a system of vocational schools that will be as much concerned with the education of our mechanics and farmers as we are with the training of our professional men. This is not only a duty to the state you represent, but a right of the rising generation in this great democracy.

Odin, a Servian sociologist, a representative of the rising Balkan state that is now fighting for "a place in the sun," for a right to develop her natural and human resources free from the horrible tyranny of the Turk, demonstrated to the world that the percentage of ability in a people was the same in each and every class thereof; that the apparent differences were due to differences in environment, in education, using the word in its broadest sense. The correlary of this demonstration is that it is the duty of every society to offer advantages to every class in society sufficient to conserve and develop this ability; that no nation can succeed in the industrial and commercial competition of this world who neglects this duty. I found the Germans quoting Odin and urging that they could never hope to succeed in their struggle for industrial and commercial supremacy while they continued to neglect this conservation of human ability in all classes of society, both in the world of learning and the humbler walks of life among their mechanics and their farmers. My study abroad convinced me that the Germans are fully as much concerned with opening a way to the top as we in America are, in this "land of the free and home of the brave." Their way of meeting this problem is different from ours, has less of "the devil take the hindmost" about it, but is fully as intelligent. This will explain my apparent enthusiasm for German systems of education, where efficiency is considered a necessary complement to democracy.

Lester Ward says: "Each age of the world's history stands on a platform erected by all past ages. It is true that all the members of society use to a certain extent of the products of past achievements, but in no other sense do those members stand on the elevated platform who do not actually possess the heritage of the past. Now, as a matter of fact, it is only the intelligent classes who really possess what I have called this heritage."

The results of the meditations and investigations of past ages form an inheritance for the whole human race. Some of this inheritance does inevitably filter down through and reach the lower strata of society; but much remains practically the inheritance of the few who have the time and the means to enter into their inheritance through education of various sorts, including that of the schools. Many do not avail themselves of opportunities to share in this inheritance on

account of lack of time, lack of means and lack of inclination for serious study, due to a failure to appreciate the value of this inheritance; many on account of actual inability, mental, moral or economical.

The whole human race is interested, however, in the equitable distribution of this inheritance as its greatest benefits result from its general distribution, rather than from its monopolization by the few. Knowledge is power, but it is social power only when society generally is in possession of it. When confined to a few it may be a social curse, as the monopolization of material wealth often is. Society is sound to the core only when all parts are equitably nourished from this common fund and no organ, however humble, is starved into weakness and inefficiency.

This conception of society as an organism does not presuppose that all its members will be able to utilize these opportunities to the same extent or in the same way, but it does presuppose that all have an access to this common fund of the race long enough to enable them to get the substance they require for their healthy development and to enable them to perform their functions efficiently. Society as a whole must provide such opportunity for all its members as a means of self-preservation.

This means as a practical proposition that access to this common inheritance must not be closed to ninety per cent of our children when they are barely fourteen years of age, just at the time when they most need guidance and instruction, just at the time when character building really begins, and just when they should be objects of special attention in our educational plans. Whether the youth appreciates the need of further education or not is not the question. Society must appreciate it and provide for it by extending the compulsory period of education to cover the years of development between fourteen and eighteen, even for those compelled to devote most of their time and energy to bread-winning. One of the blunders of civilized countries, a blunder that has led to an enormous increase in the number of youthful vagabonds and criminals, has been to neglect him and to act as though there were a sharply defined line separating the child from the man; as though it were a wise educational policy to care for him systematically up to fourteen and then leave him abruptly and absolutely to the tender mercies of the factory and street.

Society cannot, therefore, continue to expend vast sums of money for high schools and universities and neglect the ninety per cent who go into vocational life with only elementary school training without repudiating the reasons usually given for having schools of any sort as a public charge. If self-preservation through the training of the character of the future citizen is the justification for spending public money for schools, the state must enter the entire field of vocational education, and must provide for all—the artisan, the professional man, the farmer and the merchant. Justice to the individual, as well as self-preservation of the state demands it. As Frederick Paulsen puts it: "We must build upon our elementary schools as a fundamental form of schools a new finishing educational institution, or give to the elementary school instruction its necessary conclusion in a vocational high school, a school whose problem will be the carrying of general education for vocational activity forward and making it fruitful." We have already done this for the professional and managerial classes by means of high schools and colleges and universities, but we have not provided for the great mass of our youth who enter vocational life at fourteen. It will be the educational problem of the twentieth century—as Frederick Paulsen says—to do this, to complete our system of common schools.

The problem of legislation is, therefore, to provide a system of schools which shall give opportunity to all our youth during the years of development between fourteen and eighteen, during the years of adolescense. A small per cent of our youth do now continue school in high schools and colleges until maturity and later, sometimes too long for their own and their country's good, as they postpone their entrance into vocational life until their power of adaptation begins to wane and their success in practical life is imperiled. Our problem is to extend the opportunities for vocational education to all during this adolescent period, a problem which we cannot longer defer if we hope to conserve our human resources and to hold our place in the van of civilized nations.

It will be impossible under present conditions to offer opportunities covering an equal amount of time to all members of society. A great majority must begin their vocational life at about the age of fourteen, although many begin this life sooner than necessary. For such youth the most important type of vocational schools will be the vocational continuation school, which demands from six to ten hours a week of the time of youth between fourteen and eighteen. Such schools should be day schools, well equipped and well managed by teachers and officials who will adapt them to the needs of all. They can be made to fit each trade or occupation, and can be organized both in country and city. They constitute the most universal useful form of vocational school, and are more important to us as a nation than any system of secondary schools as they reach from five to ten times as many of our youth at this critical point.

It will be the problem of these continuation schools to use the short period of time at their disposal to prepare the pupil for vocational life, including both technical and general training. In these schools we shall consider first the newly awakened needs and interests of the youth. We shall recollect that there is a limit to the amount of instruction along academic lines that they are ready to receive; that if we attempt to keep them in this new type of school and repeat the same kind of instruction as they received during eight years of childhood, we shall disappoint a majority of them, and leave them bored, sullen and obstinate. If we wish to hold them longer, we must arouse their interests by connecting the school instruction with their vocation. Through this interest, we may hope to succeed in giving them an all-around training that will not only make them more efficient bread-winners, but better men and better citizens.

These schools then must unite themselves as closely as possible to the vocation. The mountain-moving desire for earning money—as Dr. Kerschensteiner has excellently expressed it—is the best means of attracting the young at this age. When we have their living interest we can work upon them in an educational way. Ennui is ever one of the worst sins in our schools. We must grasp real life vigorously in our continuation school; we must proceed from observation, from experience; and we must not separate, as is often necessary in the elementary school, the development of the capacity in our pupils from its application to practical work, but must seek directly to develop the powers through activity and practice.

From this it is clear that we shall not teach subjects as subjects. We are not organizing a school of learning. The question before us is always what material will advance the youth in his vocation; how can it be made useful for his education; how can we heighten his joy in work and his consciousness of duty in connection with the petty problems of daily life and create a fruitful foundation for his moral and civic development. This moral and civic education must grow out of his work in vocational life, of his life in the community. It is to be developed out of the simple relations of the family, of the school and the workshop. Work

of this character is all important from the standpoint of citizenship and it cannot be given during the years of childhood on account of immaturity.

These schools should be administered with the distinct purpose of developing personal efficiency in the vocation, and through efficiency and joy in work to develop social efficiency—to train the man and the citizen. They should cover the period between fourteen and eighteen, be compulsory in the daytime, free, practical and covering all kinds of vocational activity.

A system of vocational schools should include voluntary continuation schools for youth over eighteen who wish to pursue technical training further in either day or evening schools, which should provide opportunities for preparation for high schools of all sorts, as well as for practical industrial business life. They should aim at the development of ambitious youth into efficient workmen, good men and women, and good citizens.

Part-time schools should be provided wherever desired where the student is employed part of the time (usually about one-half), in a factory, the remainder of the time being given to instruction in a school furnished and supported by the state. The shop will provide the severely technical part of the training, the school supplementing it by such instruction in English, mathematics, art and science as will develop industrial intelligence and make better all-around men and citizens. Such schools will be successfully in specially favored communities where employers take a deep and practical interest in the education of their employes, but such schools cannot be depended upon to provide vocational instruction for the great majority of our youth.

America should have schools providing vocational instruction for the full time of the students, and undertaking in a course of two years to prepare for apprenticeship or for practical work in the various occupations, such as agriculture, commerce, or home-making. They may include:

1. Schools which offer courses to youth who are unable to enter apprenticeship on account of immaturity, but who wish to acquire such preliminary knowledge of some vocations as will enable them to shorten the time of actual service as an apprentice. In America there are many who believe that one or two year courses, preparatory to entrance into the shop or factory, are especially important, as they bridge over the gap between the time of leaving school at fourteen and the usual time of entering into apprenticeship at sixteen.

2. Schools which will impart vocational instruction to both boys and girls between the years of fourteen and sixteen who enter the industries without the training of an apprenticeship. Such schools—especially those for the women's trades—have already demonstrated their efficiency in the east. The Manhattan Trade School in New York and the Boston Trade School for Girls have been very successful in preparing girls between fourteen and sixteen for practical vocational life.

3. Schools for youth of both sexes who wish to enter upon commercial pursuits. A practical course of two years should enable them to take good positions on leaving the school. Courses far superior—both from a cultural and a practical point of view—to those given in our modern business colleges can be offered and be completed in the time proposed. The public should provide them.

4. Schools should be opened which offer courses in home-making, including sanitation, cooking, sewing, care of children, care of sick, and subjects related to home economics. In many communities special subjects—such as care of a dairy, and preserving of fruit and vegetables, may be taught. "Home-making" should not be taken in any narrow sense of the word, but must be as broad as the field of the home in modern life. In the judgment of the writer this should include some training in art and music.

5. Agricultural winter-schools. There are some special features to be mentioned in connection with this special type of schools as planned for youth in the country. These youth are not able to attend school during the entire ten months of school instruction in the ordinary town or city. They must put in the summer months in work on the farm. These schools should be open for five or six months of the year, in the daytime, and should furnish industrial, business, and agricultural training.

The courses should be two years in length, and the vocational subjects should be taught by men and women, trained technically and practically in agriculture. During the summer months such men or women should be employed as itinerant teachers in visiting the students of the school at their home work on the farms, in consulting with and advising parents on scientific and business questions, and in giving lectures and demonstrations on practical subjects connected with farming.

In addition to the itinerant teachers from the agricultural winter-schools, there should be a permanent staff of itinerant teachers who give special scientific advice and instruction to the farmers of the district served. These teachers should specialize in some line of agricultural work, such as live stock, small grains, swine, dairying, horse-raising, bee-keeping, garden vegetables, fruits, or business. One of the principal advantages of this system of schools over the ordinary agricultural departments in high schools is the close touch between teachers, pupils, and parents—both in the school and on the farm.

In connection with such agricultural winter-schools there should also be conducted evening agricultural continuation schools for persons older than eighteen. Such classes should be under the same general management and direction as the agricultural winter-schools, and should be supplied with practical teachers. The courses, in addition to some academic work, should pay especial attention to the academic, technical and business needs of the pupils to be served.

These schools will necesarily be day schools, managed by specially trained teachers seeking special practical ends, and treating subjects as they are related to the vocational life of the pupils. They must, therefore, be administered and controlled largely by men and women from practical life for whom and with whom the youth will be associated in vocational life. As these schools are radically different from the ordinary ones in purpose, methods and scope of work, special machinery must be provided for organizing and administering them. These schools aim at vocational efficiency and can secure it only by the closest possible co-operation of the persons carrying on the vocation—the employers and employes. As the vocation is the center of interest, rather than any subject or subjects, persons must administer these schools who know the vocations from the standpoint of both employer and employe.

It will be futile to expect the ordinary teacher who has been trained to teach subjects in a systematic throrough-going way, to select and teach the portions of these subjects that have a direct practical bearing upon vocational life. Such teachers cannot possibly select these portions of the subject. Experience has shown, however, that no such controlling body has been entirely successful in the past that has not included teachers. There is no place in any educational institution—whether school or shop—where skill in handling youth, skill and facility in analyzing and developing subjects is not important. Then, too, the educator will be the one who will be most apt to look beyond the immediate practical aim of securing mechanical efficiency to the ultimate end of training the man and the citizen. Without the practical man the school will not keep in touch with actual life conditions; without the educator, they will waste the time and strength of the pupils by ill-considered methods of instruction, and will be dominated too completely by the vocational aim. We require men and citizens as well as workmen, and we cannot secure them without the united effort of both the practical men and the educators.

To recapitulate, in legislation providing for vocational education we should aim first at reaching all members of society, should attempt to offer opportunity for a finishing education to every one—both men and women. Second, such a scheme should take into consideration that the period covered is that of adolescence, when the enormous physical, mental and moral changes are taking place in the youth, and when the standards of social and personal efficiency will be made or marred.

It is the period of idealism, of adventure, of criticism, of restlessness under control. Through the activities of the vocation and the theoretical instruction related to it we must secure both economic and social efficiency, must attempt to train the man and the citizen as well as the mechanic.

We must realize in administering these schools the economic as well as the cultural value of the training in the ordinary school arts. Third, in organizing and administering these schools we should in-

clude both the man from the industries and the man from the school. We must have both. The practical men and women, however, should be given the more prominent place as experience shows that such schools have been successful only when they have been administered by the class of men and women for whom and with whom the youth will be associated during his vocational life.

It is plainly impossible to provide in the present system of elementary and secondary schools the instruction recommended. Separate schools are necessary whose equipment, corps of teachers, and board of administration must be in the closest possible relation to the occupations. In such schools the application of general education to vocational work can be made only by men who know the vocations. The boards of education administering such institutions must give them far greater attention on the practical side than the ordinary boards of education need to do in the case of academic schools. No corps of teachers can be expected to keep up with all the latest developments in vocational life. This must be the special problem of the boards of practical men administering the schools.

These schools must not in any way be regarded as substitutes for the present forms of schools. The present system is doing a necessary work, and ought not to be disturbed, except to perfect it. The new type of school is a supplement to the old one, an attempt to carry further and apply general education to the practical problems of life.

Such a system of schools will require a special tax to support it. The present school revenues are insufficient for the present needs of the schools. No part of this general school revenue should be set aside for the support of a system of vocational schools. A special tax one-half raised by the community served, and one-half provided in the shape of a state grant when authorized by Commission on Vocational Education, should be provided for the support of these vocational schools.

Such schools should be separate, independent, compulsory day schools, supported by special taxes, carried on usually in special buildings, administered by special boards of practical men and women, taught by specially trained practical men from the vocations, and securing the closest possible co-operation between the school and the factory, the school and the farm, the school and the counting room, or the school and the home. Adaptation and co-operation are the watch-words for the new type of schools.

The minutes of the joint convention were then read and approved.

On motion of Senator Perkins of Delaware, the joint convention was dissolved.

Senate returned to the Senate chamber and resumed its sitting.

Senator Spaulding moved that the Senate insist on Senate amendments to House File No. 135 and asked for a conference committee.

Carried.

The president appointed as such committee on the part of the Senate, Senators Spaulding, Webber, McManus and Heald.

Senator Cowles moved that the Senate do now adjourn until 9:30 A. M., tomorrow.

Carried.

Senate adojurned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 7, 1913.

Senate met in regular session at 9:30 A. M., President Harding presiding.

Prayer was offered by Rev. J. H. Krenmyre, Jerome, Iowa.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 52, a bill for an act requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for failure to comply therewith.

Senator Taylor asked unanimous consent to withdraw from further consideration by the Senate, substitute offered by him yesterday.

Consent granted.

The amendment to section 2 as amended by the substitute offered by Senator Chase was adopted.

Senator Chase offered the following amendment and moved its adoption:

I move to amend by adding to section 1, the following: "And provided further that if such claim is not filed within 60 days from the time it accrues, the penalty provided in this act shall not apply."

Adopted.

Senator Chase offered the following amendment and moved its adoption:

I move to amend by adding the following to section 2: "when the claim exceeds $500.00".

Adopted.

Senator Chase offered the following amendment and moved its adoption:

I move to amend by adding section 3 to the bill as follows:

"SEC. 3. The claimant shall not be permitted under this act to divide his claims arising from loss, damage or injury to one shipment or consignment of goods, but only one claim within the meaning of this act shall be filed for one shipment."

Adopted.

Senator Jones offered the following amendment and moved its adoption:

Insert after the word "jurisdiction" in sixth line, section 2, page 684, Journal: "Provided, further, that said claim shall be filed in proper form, including such information possessed by the claimant, as will aid in establishing his claim."

Adopted.

The bill as amended was read for information:

Senator Chase moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton —43.

The nays were:

Legel Perkins—2

Absent or not voting:

Ames, Boe, Francis, Gillette, Jewell—5.

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

PETITIONS AND MEMORIALS.

Senator Neal presented a remonstrance of citizens of Henry county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Neal presented a petition of citizens of Washington county urging passage of Senate File No. 332, by Balkema, and House File No. 478, by Rohwer, known as the "Peddler's Bill."

Referred to committee on Commerce and Trade.

Senator Larrabee presented a remonstrance of citizens of Webster and Calhoun counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Taylor presented a remonstrance of citizens of Jefferson county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Taylor presented a petition of citizens of Van Buren county urging the passage of the daylight saloon bill, and also favoring the passage of the five mile limit law.

Referred to committee on Suppression of Intemperance.

Senator Thomas presented a petition of citizens of Thayer, Union county, demanding for women the right to vote.

Referred to committee on Constitutional Amendments.

Senator Thomas presented a petition of teachers of Tingley township, Ringgold county, favoring the state annuity fund bill.

Referred to committee on Schools.

Senator Thomas presented a remonstrance of citizens of Creston, Lorimer, Spaulding, Diagonal and Clearfield protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator McColl presented a remonstrance of citizens of Guthrie Center, Dallas Center and Adel protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Spaulding presented a remonstrance of citizens of Webster and Malcolm protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Clinton presented a remonstrance of citizens of DeWitt protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Heald presented a remonstrance of citizens of Palo protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Larrabee presented a remonstrance of citizens of Webster county opposing passage of House File No. 262 and Senate File No. 131 relating to text books.

Referred to committee on Schools.

Senator Garrett presented a remonstrance of citizens of Muscatine county opposing passage of House File No. 262 and Senate File No. 131, relating to text books.

Referred to committee on Schools.

Senator Allen submitted the following communications, which were read and ordered printed in the Journal:

Albert City, Iowa, March 4, 1913.

Senator Joseph H. Allen,

Pocahontas, Iowa.

Dear Sir:—Yours of the 4th inst. at hand. In reply will say that I enclose herewith the letter accompanying the petitions against the permanent tax commission. This letter will give you the information that I got.

Yours truly,

C. J. BLOMBERG.

Des Moines, Iowa, Feb. 13, 1913.

Dear Sir—

The General Assembly of Iowa two years ago (34th) created a temporary tax commission whose duty it should be to investigate the revenue system or tax machinery of the state and report to the present General Assembly.

Said report is now before the Assembly and in the hands of a subcommittee of the Ways and Means committee of both branches. It incorporates an elaborate bill, which, if enacted into law, will create a permanent tax commission of three members at $3,600 each per annum; secretary $2,400; statistican and all clerks, office expenses and mileage required, also a county assessor for each of the 99 counties at salaries ranging from $1,200 to $3,000, with power to appoint deputies.

This will pile up a grand total of a quarter million new taxes just to pay for running the new tax machine, while we discard the old (executive council, county boards of supervisors and township trustees) which has given us solid credit and plenty of money. Is there demand for this radical change? What is there for this commission to do commensurate with this outlay? Certainly no farmers are asking for it.

This measure takes from the people the sacred right of self-government and offers instead "taxation without representation." On that ground our forefathers licked the British to a fare-ye-well. More than nine-tenths of all the taxes levied are for local purposes, schools, roads, bridges, charities, cities and towns, and county administration. Why take away from the local communities the right to take care of their own tax business in their own way, and centralize it in a high salaried commission appointed by the governor (one man power) with, practically, the power to perpetuate itself? Are the people ready to surrender this important function of self-government, displace township trustees as reviewing boards, in fact, give to this commission the initiative and final decision in everythng pertaining to the assessing and equalizing of taxes?

This commission may institute proceedings to enforce penalties, liabilities and punishments and summary removal from office, against any assessor or other officer, including boards of supervisors connected with the revenue work, for neglect of duty, and shall require the attorney general and the various county attorneys to prosecute where there is violation of the law or their rules and regulations, and represent the commission in any litigation. Such authority is far in excess of what the conditions warrant.

The commission plan, in one form or another, has been tried in several states, but there is greater lack of system or uniformity as yet, than there is in the present revenue system of Iowa. Besides, where it has been tried, as in Kansas, the result, in many ways, is far from satisfactory. Farmers' and land owners' taxes (property in sight—see the point?) under the commission have been radically increased, while city taxes have been proportionately diminished. Kansas farmers are now taxed on their hay, corn, wheat, oats, seed, hens and goats! You see, they are trying to discover all of the farmer's belongings, though he is at present paying about three-fourths of the taxes of that state.

We have plenty of tax money. Why install a gigantic tax machine to add to our burdens without improving conditions? If our township and town assessors, county auditors and supervisors, and executive council, all chosen by direct vote of the people (let the people rule) are not competent to do this work, how can any commission, far removed from local conditions and surroundings, do it?

If you will circulate the enclosed petitions (one for House, the other for Senate, same names on each) just as soon as possible, and mail to your members in Des Moines, accompanied by a personal letter from yourself (and others) asking his active opposition to the tax commission, you will do the farmers of Iowa a great favor.

Your name was suggested to the undersigned by a former official of the National Farmers' Alliance.

Respectfully,

J. W. JOHNSON,
Former State Organizer of National Grange,
Box 219, Des Moines, Iowa.

Senator Mattes moved that the committee on Retrenchment and Reform be authorized to issue subpoenas to bring the author of the above letter, J. W. Johnson, before the committee on Retrenchment and Reform.

Carried.

On request of Senator Sullivan, leave of absence was granted Senator Boe for the day.

On request of Senator Sullivan, leave of absence was granted Senator Gillette for the day.

THIRD READING OF BILLS.

The time having arrived for special order, Senate File No. 111, a bill for an act providng for an expression of opinion on the question of suffrage at the next general election, was taken up and considered.

By unanimous consent consideration of special order on House Joint Resolution No. 6 was postponed until the special order on Senate File No. 111 was disposed of.

On the motion filed by Senator Allen on February 21st to reconsider the vote by which Senate File No. 111 passed the Senate, a roll call was demanded.

Senator Smith moved that he Senate do now adjourn until 1:30 this afternoon.

Senator Mattes moved to amend the motion to adjourn by making time of adjournment to 9:30 A. M., tomorrow.

Carried.

Senator Francis moved that the motion be amended by making the time of adjournment to 2 o'clock P. M., today.

On the motion, a roll call was demanded.

Those favoring the motion were:

Allen, Arney, Balkema, Clarkson, Crow, Darrah, Dunnegan, Farr, Fellows, Francis, Garrett, Hagemann, Heald, Kimball, Larrabee, Legel, Neal, Nye, Ream, Robinson, Smith, Spaulding, Taylor, Thomas, Webber, Wilson of Clinton—26.

The nays were:

Ames, Balluff, Chase, Cowles, Crist, DeWolf, Doran, Hilsinger, Malmberg, Mattes, McManus, Perkins, Quigley, Savage, Schrup, Sheean, Sullivan, White, Wilson of Appanoose—19.

Absent or not voting:

Boe, Gillette, Jewell, Jones, McColl—5.

The amendment was adopted.

The motion as amended prevailed.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Harding presiding.

Senator McManus, from the joint committee appointed to invite Hugh L. Cooper, submitted the following report:

MR. PRESIDENT—The joint committee appointed to invite Mr. Hugh L. Cooper to deliver his stereoptican lecture on the "Keokuk Dam and Possibilities of Water Power in Iowa," beg leave to report that Mr. Cooper has accepted the invitation, and will deliver his lecture in the House chamber at 8 o'clock P. M. on Monday, March 10, 1913.

We recommend that the south galleries of the House chamber be opened to the public and that no tickets of admission be issued, but that members of the Senate and House be given the privilege of extending invitations to friends.

Respectfully submitted,

E. P. MCMANUS,
On the part of the Senate.

JOHN W. JACOBS,
JULIUS ROHWER,
On the part of the House.

Passed on file.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 111, a bill for an act providing for an expression of opinion on the question of suffrage at the next general election.

Senator Wilson of Appanoose moved the previous question.

Carried.

On the motion to reconsider the ayes were:

Allen, Ames, Arney, Balkema, Clarkson, Crist, Darrah, Dunnegan, Farr, Fellows, Francis, Heald, Jones, Larrabee, McColl, Neal, Nye, Ream, Robinson, Smith, Spaulding, Taylor—22.

The nays were:

Balluff, Chase, Cowles, Crow, Doran, Garret, Hagemann, Hilsinger, Kimball, Legel, Malmberg, Mattes, McManus, Perkins, Quigley, Savage, Schrup, Sheean, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—24.

Absent or not voting:

Boe, DeWolf, Gillette, Jewell—4.

So the motion was lost.

The time for special order having arrived, House Joint Resolution No. 6, a joint resolution proposing an amendment to the constitution of the state of Iowa by repealing section one (1) of article two (2) of said constitution and the enactment and adoption of a substitute therefor, relaing to the right of suffrage, was taken up and considered.

On the motion filed by Senator Farr on February 21st, to reconsider the vote by which House Joint Resolution No. 6 was placed on the calendar, a roll call was demanded.

Senator Allen moved that the motion to reconsider be laid on the table.

Motion withdrawn.

On the motion to reconsider, the ayes were:

Balluff, Chase, Cowles, Crow, DeWolf, Doran, Garrett, Hagemann, Hilsinger, Kimball, Malmberg, Mattes, McColl, McManus, Quigley, Savage, Schrup, Sheean, Webber, White, Wilson of Clinton—21.

The nays were:

Allen, Ames, Arney, Balkema, Clarkson, Crist, Darrah, Dunnegan, Farr, Fellows, Francis, Heald, Jones, Larrabee, Legel, Neal,

Nye, Perkins, Ream, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—26.

Absent or not voting:

Boe, Gillette, Jewell—3.

So the motion to reconsider was lost.

Senator Francis moved that the rule be suspended, the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

HOUSE JOINT RESOLUTION.

Joint Resolution Proposing an Amendment to the Constitution of the State of Iowa by Repealing Section One (1) of Article Two (2) of Said Constitution and the Enactment and Adoption of a Substitute Therefor, Relating to the Right of Suffrage.

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

SECTION 1. That the following amendment to the constitution of the state of Iowa is hereby proposed, to-wit:

"Repeal section one (1) of article two (2) of the constitution of the state of Iowa and in lieu thereof enact and adopt the following, to-wit:

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

On the question, "Shall the joint resolution pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Clarkson, Cowles, Crist, Crow, Darrah, Dunnegan, Farr, Fellows, Francis, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins, Ream, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—31.

The nays were:

Balluff, Chase, DeWolf, Doran, Garrett, Hagemann, Kimball, Mattes, Quigley, Savage, Schrup, Sheean, Webber, White, Wilson of Clinton—15.

Absent or not voting:

Boe, Gillette, Jewell, McManus—4.

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

Senator Clarkson moved to reconsider the vote by which House Joint Resolution No. 6 passed, and to lay same on the table.

Carried.

PETITIONS AND MEMORIALS.

Senator Wilson of Appanoose presented a remonstrance of members of the official board of the Methodist church, Moravia, protesting against the Shankland bill.

Referred to committee on Suppression of Intemperance.

Senator Wilson of Appanoose presented a remonstrance of citizens of Appanoose county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hagemann presented a remonstrance of citizens of Butler county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Robinson presented a remonstrance of citizens of Hancock county protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Robinson presented a remonstrance of citizens of Meservey, Iowa, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Robinson presented a petition of citizens of Cerro Gordo county urging the passage of a law relating to bounties to be paid on crows.

Referred to committee on Agriculture.

Senator Kimball presented a remonstrance of citizens of Pottawattamie county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Dunnegan presented a remonstrance of citizens of Fremont and Page counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a remonstrance of citizens of Crawford county protesting against passage of Chase bill, No. 131, relating to text books.

Referred to committee on Schools.

Senator Perkins presented a remonstrance of citizens of Delaware county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Francis presented a remonstrance of citizens of Spirit Lake and Montgomery protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Thomas presented a remonstrance of citizens of Kellerton protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Ames presented a remonstrance of citizens of Benton and Tama counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Ames presented a petition of citizens of Tama county favoring the state annuity fund bill for teachers.

Referred to committee on Schools.

Senator Clarkson presented a remonstrance of citizens of Marion and Monroe counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Neal presented a remonstrance of citizens of Henry county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Cowles presented a remonstrance of citizens of Sperry and Mediapolis protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Jones presented a remonstrance of citizens of Villisca, Nodaway, Henderson and Stanton protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Jones presented a remonstrance of citizens of Pacific Junction, Villisca, Henderson and Glenwood protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Ream presented a petition of the United Mine Workers of America, District No. 13, asking for the enactment of a law requiring the boards of managers of Iowa institutions to purchase their fuel supply from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Ream presented a remonstrance of citizens of Mahaska county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator White presented a remonstrance of citizens of Iowa county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hilsinger presented a remonstrance of citizens of Jackson county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hilsinger presented a remonstrance of citizens of Jackson county opposing House File No. 262 and Senate File No. 131, relating to text books.

Referred to committee on Schools.

Senator Chase presented a remonstrance of citizens of Hamilton county opposing House File No. 262 and Senate File No. 131, relating to text books.

Referred to committee on Schools.

Senator Crow presented a remonstrance of citizens of Dow City protesting against the proposed bill for an act to prohibit spring shooting of ducks and geese in Iowa.

Referred to committee on Fish and Game.

Senator DeWolf presented a petition of citizens of Black Hawk county favoring the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Arney, Senate File No. 378, a bill for an act to amend section twenty-one hundred and thirteen (2113) of the supplement to the code, 1907, as amended by chapter one hundred twenty-seven (127) of the acts of the Thirty-third General Assembly relating to the powers of the board of railroad commissioners.

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

By Senator Doran, Senate File No. 379, a bill for an act to repeal sections one (1) and two (2) chapter twenty-nine (29) laws of the Thirty-fourth General Assembly of Iowa.

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

By Senator Sullivan, Senate File No. 380, a bill for an act to repeal the law as it appears in section two hundred fifty-four-a-eighteen (254-a-18) of the supplement to the code, 1907, as amended by chapter ten (10), acts of the Thirty-fourth (34th) General Assembly and to enact a substitute therefor, relating to the appointment, duties and compensation of probation officers.

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

Senator Mattes moved that the committee on Mileage be instructed to report the mileage of Senators Kimball and Hagemann.

Carried.

Senator Neal offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring, That copies of the Code of Iowa, together with the Supplement and session laws, be given to the Journal clerks of the Senate.

Laid over under the rules.

INTRODUCTION OF BILLS.

By Senators Sullivan and Kimball, Senate Joint Resolution No. 9.

Joint Resolution Appointing a Commission to Ascertain and Report Facts Relating to the Existing Boundary Between the States of Iowa and Nebraska, and Providing for the Payment of the Expenses of Said Commission.

WHEREAS: The original boundary line between the states of Nebraska and Iowa along the river front of Douglas and Carpy counties in Nebraska, and Pottawattamie county in Iowa, was changed by the great flood of 1881 so that a part of the original state of Iowa has for over thirty years been on the west side of the present channel of the Missouri river and part of the state of Nebraska has been for over thirty years upon the east side of the present channel of the Missouri river; and,

WHEREAS: Under the rule of law in the United States the state boundary in such cases still follows the old channel of the river unless an agreement is made between the states for its change; and,

WHEREAS: It is desirable for both Iowa and Nebraska that the boundary line between the states be made to conform with the natural boundary of the Missouri river; and,

WHEREAS: A similar resolution has been duly adopted by the legislature of the state of Nebraska at the Thirty-third session thereof; now, therefore,

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

SECTION 1. That the governor of the state of Iowa is hereby authorized and directed to appoint three commissioners from this state to act with a similar commission appointed by the governor of Nebraska to ascertain and report the facts relating to the existing boundary between

the states of Iowa and Nebraska, so far as the same relate to the counties of Pottawattamie in the state of Iowa on the one hand and Douglas and Sarpy in the state of Nebraska on the other, to report a draft of a compact or agreement to be entered into by the states in settlement of said boundary, such report to be made to the governors of the respective states before the convening of the next session of legislature therein.

SEC. 2. The commissioners to be appointed hereunder shall serve without compensation but their actual and necessary expenses shall be audited and paid from the executive council's contingent fund.

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

The Journal of Wednesday, March 5, was taken up, corrected and approved.

Journal of Thursday, March 6, was taken up, corrected and approved.

Senator Arney 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 8, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. O. M. Bond, Spencer, Iowa.

PETITIONS AND MEMORIALS.

Senator Darrah presented a remonstrance of citizens of Wayne county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a petition of United Mine Workers of America, District No. 13, asking for the enactment of a law requiring the boards of managers of Iowa institutions to purchase their fuel supply from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Smith presented a remonstrance of citizens of Shelby county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Arney presented a remonstrance of citizens of Laurel and Haverhill protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Spaulding presented a remonstrance of citizens of Poweshiek county protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Robinson presented a remonstrance of citizens of Franklin and Hancock counties protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Robinson presented a petition of teachers of Clear Lake favoring the state annuity fund bill.

Referred to committee on Schools.

Senator Nye presented a remonstrance of citizens of Taylor county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hagemann presented a remonstrance of citizens of Butler county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a remonstrance of citizens of Louisa county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a petition from the railorad employees of Boone favoring Senate File No. 102.

Referred to committee on Railroads.

Senator Garrett presented a remonstrance of citizens of Muscatine county opposing Senate File No. 131.

Referred to committee on Schools.

Senator Quigley presented a remonstrance of citizens of Clayton county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Taylor presented a remonstrance of citizens of Jefferson county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Gillette presented a remonstrance of citizens of Arthur and Ida Grove protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hilsinger presented a remonstrance of citizens of Jackson county protesting against school text book bill.

Referred to committee on Schools.

Senator Neal presented a remonstrance of citizens of Henry and Washington counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Mattes presented a remonstrance of citizens of Sac county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Jones presented a remonstrance of citizens of Montgomery county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a petition of citizens of twentieth senatorial district favoring Senate File No. 326.

Referred to committee on Roads and Highways.

Senator Gillette presented a remonstrance of members of Fredonia Grange, No. 2065, protesting against the removal of the department of home economics from the Agriculture College at Ames.

Referred to committee on Educational Institutions.

Senator Darrah presented a petition of citizens of Wayne county urging passage of House File No. 364, by Brockway.

Referred to committee on Pharmacy.

Senator Schrup presented a petition of "many citizens of Iowa" as follows: Your petitioners would respectfully ask that instead of occupying so much valuable time playing to the galleries, and in lieu of encumbering the records, with innumerable petitons, you get down to work and do some of the things we feel justified in expecting of you.

Referred to committee on Retrenchment and Reform.

Senator Crist presented a remonstrance of citizens of Clark county opposing a permanent tax commission.

Referred to committee on Ways and Means.

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

On request of Senator Wilson of Clinton, leave of absence was granted Senator Crow for the day.

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:

Senate concurrent resolution relative to holding memorial ceremonies to commemorate the life of Gov. Wm. Larrabee.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House concurrent Resolution relative to attendance at Des Moines Household Show by members of the legislature on "Governor's and Legislative Night," March 29. 1913.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 336, a bill for an act authorizing the issue of a patent to the SE¼ of the SE¼ of section 23, township 67, range 23 west of the fifth P. M.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 authorizing cities and towns, including charter and cities under the commission form of government, to adopt a building code and to provide penalties for violation thereof.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 enabling the board of directors of the independent school district of Tama, Iowa, to compensate a member for services as superintendent of schools.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 343, a bill for an act to legalize an election held in the town of Modale, Iowa, March, 25, 1912, in electing councilmen and to legalize the acts of the councilmen of said town in filling vacancies in said council.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 235, a bill for an act to legalize certain warrants of the city of Bedford, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 293, a bill for an act to legalize the incorporation of Humboldt State Bank, Humboldt, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 337, a bill for an act authorizing the issuance of a patent to the NE¼ of the SE¼, section 23, township 67, range 23 west of the Fifth P. M.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 138, a bill for an act to legalize certain warrants of the city of Onawa, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 75, a bill for an act to repeal chapter 166 of the acts of the Thirty-third General Assembly and to enact a substitute therefor relating to payments for their support by members of the Soldiers' Home.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 134, a bill for an act for the relief of grantees of G. W. Perkins and for the purpose of having a patent issued in the name of John A. Rutter, for a certain tract of land.

A. C. GUSTAFSON,
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. 32, a bill for an act to amend the law as it appears in section 265 of the Code, relating to the clerk of the superior court.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Smith, Senate File No. 381, a bill for an act to repeal section five (5) of chapter ninety-four (94) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the duty of commerce counsel.

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

By Senator Taylor, Senate File No. 382, a bill for an act to regulate the compounding, manufacture and sale of certain habit forming and other drugs or medicines, and preparations containing same.

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

By Senator McManus, Senate File No. 383, a bill for an act to amend the law as it appears in chapter eleven-c (11-c) of title thirteen (XIII) of the supplement to the code, 1907, relating to the state sanatorium for the treatment of tuberculosis, to provide for the care of advanced cases in said sanatorium and making an appropriation therefor, and to repeal the law as it appears in section twenty-seven hundred twenty-seven-a-eighty-six (2727-a-86) of the supplement to the code, 1907, and to enact a substitute therefor, requiring counties to pay for the care of patients in the sanatorium

and making such patients and persons legally bound for their support liable to counties for money so paid.

Read first and second time and referred to committee on Board of Control and its Institutions.

Senator Garrett asked unanimous consent of the Senate to withdraw from further consideration by the Senate of Senate File No. 345.

Consent granted.

By Senator Garrett, Senate File No. 384, a bill for an act to amend the law as it appears in sections four hundred ninety (490) of the supplement to the code, 1907, and four hundred ninety-one (491) of the code, 1897, relating to the compensation of county treasurers and their deputies.

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

By Senator Chase, Senate File No. 385, a bill for an act making provision for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines river improvement grant as school lands.

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

By Senator Cowles, Senate File No. 386, a bill for an act relating to the granting of loan or cash surrender values on insurance contracts; and to amend the law as it appears in sections seventeen hundred thirty-nine (1739) and eighteen hundred twenty-four (1824) of the code, sections thirteen hundred thirty-three (1333), thirteen hundred thirty-three-d (1333-d), eighteen hundred six (1806), and eighteen hundred thirty-nine-l (1839-l), of the supplement to the code, 1907, section two (2), of chapter one hundred thirteen (113), of the acts of the Thirty-third General Assembly, and to repeal section eighteen hundred thirteen (1813) of the code and to enact a substitute therefor, relating to insurance.

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

HOUSE MESSAGES CONSIDERED.

House File No. 293, a bill for an act to legalize the incorporation of Humboldt State Bank, Humboldt, Iowa.

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

Senate File No. 32, a bill for an act to amend the law as it appears in section two hundred sixty-five (265) of the code relating to the clerk of the superior court.

Passed on file.

House File No. 138, a bill for an act to legalize certain warrants of the city of Onawa, Iowa.

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

House File No. 337, a bill for an act authorizing the issue of a patent to the northeast quarter (N. E. ¼) of the southeast quarter (S. E. ¼) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M.

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

House File No. 235, a bill for an act to legalize certain warrants of the city of Bedford, Iowa.

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

House File No. 343, a bill for an act to legalize an election held in the town of Modale, Iowa, March 25th, 1912, in electing councilmen; and to legalize the acts of the council of said town in filling vacancies in said council.

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

House File No. 446, a bill for an act enabling the board of directors of the independent school district of Tama, Iowa, to compensate a member for services as superintendent of schools.

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

House File No. 456, a bill for an act authorizing cities and towns including those acting under special charter and cites under the commission form of government to adopt a building code and to provide penalties for violation thereof.

Read first and second time and referred to committee on Cities and Towns.

Senate File No. 134, a bill for an act for the relief of the grantees of G. W. Perkins, and for the purpose of having a patent issued in the name of John A. Ruttur, for a certain tract of land.

Passed on file.

Senate File No. 75, a bill for an act to repeal chapter one hundred sixty-six (166) of the acts of the Thirty-third General Assembly and to enact a substitute therefor relating to payments for their support by members of the Soldiers' Home.

Passed on file.

House File No. 336, a bill for an act authorizing the issue of a patent o the southeast quarter (S. E. ¼) of the southeast quarter (S. E. ¼) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M.

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

House concurrent resolution.

WHEREAS: There is to be held in the city of Des Moines under the date of March 29th to April 5th, inclusive, under the auspices of the Des Moines Women's Club, The Des Moines Household Show; and,

WHEREAS: The object is to raise funds with which to enlarge the scope of the Free Art Gallery in Des Moines; and,

WHEREAS: The object sought is most worthy and merits the support of all good citizens; and,

WHEREAS: The members of the General Assembly having been placed under obligations to the citizens of Des Moines for their many acts of kindness, and their genial hospitality, and with an earnest desire to show its appreciation for the manifest kindness on the part of the people of the city of Des Moines; therefore,

Be it resolved, by the House of Representativse of Iowa, the Sentae concurring, that the opening night of the Des Moines Household Show, March 29th, 1913, be and the same is hereby designated as Governor's and Legislative night; and,

Be it further resolved, That all members of the General Assembly be urged to attend the Des Moines Household Show on the evening of March 29, 1913.

Senator Sullivan asked unanimous consent to take up the resolution for consideration.

Objected to, and laid over under the rules.

Senate concurrent resolution relative to memorial services to be held for Gov. Wm. Larrabee.

Passed on file.

REPORTS OF COMMITTEES.

Senator Savage, from the committee on Public Schools, submitted the following report:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 204, a bil for an act to repeal the law as it appears in sections (2743), (2745), (2751), (2753), (2790), (2797), (2798), (2744), (2752), (2800), (2801), of the Supplement to the Code, 1907, and to enact substitutes therefor; and to amend the law as it appears in sections (2754), (2794), (2794-a), as amended by the acts of the Thirty-fourth General Assembly, relative to the units of school organization, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend section three (3) by inserting in line two (2) thereof after the word "of" and before the word "the" the words "or after".

Amend section four (4) by striking out the parenthesis and the words contained therein in lines one (1), two (2) and three (3); and when so amended the bill do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Senator Francis, from the committee on Judiciary, returned to the Senate, Senate File No. 314.

Senator Nye, from the committee on Mileage, submitted the following supplementary report, and moved its adoption:

MR. PRESIDENT—Your committee on Mileage beg leave to report that they find members of the Senate of the Thirty-fifth General Assembly entitled to mileage as follows:

Senator Kimball, 284 miles, $14.20.

Senator Hagemann, 260 miles, $13.00.

A. D. NYE,
Chairman.

Those favoring the adoption of the report were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Crow, DeWolf, Hagemann, Jewell, Kimball, McColl, Perkins, Quigley, Smith, Webber—10.

So the report of the committee was adopted.

Senator Mattes, from the committee on Retrenchment and Reform, stated that a mistake had been made in mileage due Senator Goodwin, and he had been overpaid $9.20, and that the committee was in receipt of check for that amount of refund from Senator Goodwin, and that same would be turned back to the state treasurer.

REPORTS OF COMMITTEE.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 14, a bill for an act to amend chapter two hundred (200) of the acts of the Thirty-third General Assembly, relating to ad-

ministration of the estates of absentees, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT, to Amend Chapter Two Hundred (200) of the Acts of the Thirty Third General Assembly Relating to Administration of the Estates of Absentees.

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

SECTION 1. That chapter two hundred (200) of the acts of the thirty-third General Assembly be and the same is hereby amended by adding thereto the following, as sections three (3) and four (4) of said act.

SEC. 3. Administration upon the estate of an absentee shall forever bar his or her right of homestead and statutory distributive share or interest in and to any real estate owned or held by the spouse of such absentee, or in which said spouse may have a legal or equitable interest, and a conveyance thereof by such spouse after one year from and after such administration has been granted, shall be free and clear of any claim or right of homestead or statutory distributive share on the part of such absentee; and when so amended the bill do pass.

Substitute read first and second time.

Ordered passed on file.

Also:

L. E. FRANCIS,
Chairman.

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 125, a bill for an act to legalize certain warrants of the city of Bedford, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 17, a bill for an act to repeal section five thousand ninety-seven (5097) of the Code and to enact a substitute therefor defining magistrates and limiting the jurisdiction of certain of such magistrates, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 17.

A BILL FOR AN ACT, to Repeal Section Five Thousand Ninety-seven (5097) of the Code and to Enact a Substitute Therefor Defining Mgaistrates and Limiting the Jurisdiction of Certain of Such Magistrates.

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

SECTION 1. That section five thousand ninety-seven (5097) of the Code be, and the same is, hereby repealed and the following enacted in lieu thereof:

"The term magistrate includes any judge of the supreme, district or superior court, throughout the state, and justices of the peace, mayors of cities and towns, judges of police or other city courts, and police and other special justices in cities and towns, within their respective counties, but mayors, judges of police and other city courts and police and other special magistrates elected or appointed under ordinances of cities acting under special charter and having a population of forty thousand or more shall have jurisdiction only as to actions arising under the ordinances of such cities, but shall have authority to solemnize marriages; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 240, a bill for an act to legalize deeds and instruments of conveyance, tax deeds, sheriff's deeds, deeds of administrators, executors, and guardians, and all other conveyances made and recorded prior to the first day of January, A. D. 1890, additional to chapter 6, title 14 of the Code, relating to the conveyance of real estate, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 155, a bill for an act amending sections three thousand one hundred forty-six (3146) and three thousand one hundred forty-seven (3147) of the Code, relating to the time for making return of the solemni-

zation of marriage, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend section 1 by inserting the words "fifteen days" in lieu of the words "thirty days".

Amend section 2 by striking out the word "thirty" at the end thereof and substituting the word "fifteen"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 200, a bill for an act to amend section one (1) of chapter 161 of the laws of the Thirty-third General Assembly, relating to the foreclosure of real estate mortgages, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

Senate resumed consideration of substitute for Senate File No. 57, a bill for an act to confer power upon the district court of any county to issue a permit to any individual or corporation organized under the laws of Iowa, engaged in the manufacture or sale of electric current to construct transmission lines and obtain the necessary interests in real estate therefor and the manner of making compensation to said owners of said lands for said rights.

The bill as amended was read for information.

Senator Smith offered the following amendment and moved its adoption:

I move to strike out of section one (1) in the thirteenth line of the substitute bill printed on page 482 of the Senate Journal, the following words: "the day next preceding".

Adopted.

Senator Francis offered the following amendment and moved its adoption:

I move to amend the bill by adding thereto an additional section as follows: "All rights here granted shall be subject to regulation in all particulars under laws now enacted or which may be hereafter enacted."

Adopted.

By unanimous consent, the amendment offered by Senator Francis was numbered section 7, and section 7 renumbered as section 8.

Senator Francis moved that the bill be referred to committee on Public Utilities.

Senator Allen moved that the bill be made a special order for Tuesday at 10 o'clock A. M.

Motion declared out of order.

Senator Heald moved to amend the motion offered by Senator Francis, so that same would read, referred to committee on Public Utilities with instructions that they report back to the Senate on Thursday, March 13th, a bill carrying out the purposes of Senate File No. 57.

Carried.

Motion as amended prevailed.

On motion of Senator Dunnegan, Senate File No. 231, a bill for an act to amend the law as it appears in chapter eighty-three (83) acts of the Thirty-third (33rd) General Assembly relating to the issuance of bonds in cities and towns, was taken up and considered.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balkema, Balluff, Chase, Cowles, Crist, Darrah, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Kimball, Legel, Malmberg, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

Allen, Ames, Boe, Clarkson, Doran, Jones, Larrabee, Mattes, McColl, Perkins, Spaulding—11.

Absent or not voting:

Crow, DeWolf, Jewell, Thomas, Webber—5.

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

On motion of Senator McColl, Senate File No. 151, a bill for an act to amend the law relating to the compensation and duties of school treasurers as the same appears in section 2780 of the code and section 2768 of the supplement to the code, 1907, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McColl 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Ames, Chase, Crow, DeWolf, Francis, Jewell, Perkins, Thomas, Webber—9.

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

On motion of Senator Balluff, Senate File No. 176, a bill for an act to amend section one (1) of chapter sixty-eight (68) of the acts of the Thirty-fourth General Assembly relaitng to the assessment and collection of a tax upon collateral estates, annuities, legacies, bequests, gifts, transfers and inheritances, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Balluff moved that the substitute for the original bill be adopted.

Adopted.

Senator Balluff 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, QuQigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Chase, Clarkson, Cowles, Crow, DeWolf, Jewell, Kimbal, Thomas, Webber—9.

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

On motion of Senator Neal, Senate File No. 28, a bill for an act making an appropriation of five hundred dollars for Henry H. Rood on account of special services rendered to the Iowa Vicksburg Park Monument Commission in the erection of the state memorial on the Vicksburg National Military Park, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Neal 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crist, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Chase, Cowles, Crow, DeWolf, Farr, Jewell, Smith, Thomas, Webber—9.

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

On motion of Senator Perkins, House File No. 162, a bill for an act to legalize the special election held in the town of Calmar, Iowa, on the 16th day of October, 1911, wherein there was submitted to the voters of said town the question of issuing bonds in the sum of five thousand dollars ($5,000.00) for the purpose of erecting a system of gas works and to validate and legalize the bonds issued in pursuance of said election, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Perkins 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Taylor, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Chase, Cowles, Crow, DeWolf, Francis, Jewell, Sullivan, Thomas, Webber—9.

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

By unanimous consent House File No. 235 was withdrawn from the committee on Judicary.

On motion by Senator Nye, House File No. 235, a bill for an act to legalize certain warrants of the city of Bedford, Iowa, was taken up and considered.

The bill was read for information.

Senator Nye moved that the rule by which no bill can be read a second and third time the same day be suspended.

Carried unaimously.

Senator Nye moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Neal,

Nye, Perkins, Quigley, Ream, Robinson, Savage, SchrQup, Sheean, Smith, Spaulding, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Cowles, Crow, DeWolf, Hagemann, Hilsinger, Jewell, Mattes, McColl, McManus, Thomas, Webber, White—12.

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

Senator Nye asked unanimous consent to withdraw from further consideration by the Senate, Senate File No. 125.

Consent granted.

On motion of Senator Spaulding, Senate File No. 32, a bill for an act to amend the law as it appears in section two hundred sixty-five (265) of the code, relating to the clerk of the superior court, was taken up and considered.

Senator Spaulding moved that the Senate concur in the following House amendment:

House amendment: By striking out all of section two (2) thereof, being the publication clause.

On the question, "Shall the Senate concur in the House amendment?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, Cowles, Crow, DeWolf, Heald, Jewell, Mattes, McColl, Smith, Thomas, Webber, White—12.

So the house amendment having received a constitutional majority was declared concurred in.

INTRODUCTION OF BILLS.

By Senator Sullivan, Senate File No. 387.

A BILL FOR AN ACT to Legalize the Proceedings of the City Council of the City of Des Moines, Iowa, for the Construction of the Seventh Ward Sewer System in Said City.

WHEREAS: The city council of the city of Des Moines, Iowa, did, on the thirtieth day of August, 1911, propose a resolution declaring the necessity of constructing the public improvement in said city called in said resolution the seventh ward sewer, and did thereafter adopt said resolution of necessity and did order the construction of said sewer, and did enter into contract for the construction of said sewer; and,

WHEREAS: Doubts have arisen respecting the legality of said resolution of necessity in that it did not state specifically what property adjacent to said sewer would be assessed for the cost thereof; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the proceedings of the city council of the city of Des Moines, Iowa, concerning and providing for the construction of the seventh ward sewer in said city, including the resolution of necessity, the notice thereof, and the contract for constructing said sewer, be and the same are hereby legalized, and made of as binding force as though done in strict conformity to law.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force immediately after its publication in the Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa, which publication shall be without expense to the state.

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

By Senator Sullivan, Senate File No. 388.

A BILL FOR AN ACT to Legalize Certain Decrees of Courts Entering in Actions to Annul Marriages, in Which Service of the Original Notice Was Made by Publication.

WHEREAS: The statutes of this state as construed by the supreme court do not permit notices to the defendant in an action brought to annul a marriage to be given in any way other than by personal service; and,

WHEREAS: Under a misapprehension of the law a number of decrees of the courts of this state have been made and entered of record in such cases upon service had by publication in the time and manner provided by law for actions for divorce; and,

WHEREAS: The parties to said actions have relied upon such decrees in good faith believing that the marriage was thereby annulled; and,

WHEREAS: If the same should be not questioned or set aside great injury and damage would be done and public scandal occasioned; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That all decrees of the courts of this state made and entered of record in actions brought to annul a marriage and in which cases the service of the original notice was made by publication in the manner provided by law for actions for divorce, be and the same are hereby legalized and validated as fully and to the same extent as if the statute at the time such suit was instituted had provided for service of the original notice by publication in the time and manner aforesaid.

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

By Senator Sullivan, Senate File No. 389, a bill for an act authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employees, providing the powers, duties and compensation of such board and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making appropriation therefor.

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

By Senator Francis, Senate File No. 390, a bill for an act to invest the district courts of the state of Iowa with jurisdiction and authority to restrain violations of any law heretofore or hereafter enacted to protect the public and trade and commerce against unlawful restraints, trusts, conspiracies, combinations and monopolies, or unfair discrimination between different sections, communities

and localities; to cause any person within the state of Iowa to be made party to an action pending in any court in this state, and to require any person, firm, association or corporation to respond to a subpoena in any court in this state, and to give testimony and produce any books, papers or documents in any hearing, investigation, proceeding or prosecution for the violation of any laws relating to pools, trusts, conspiracies, combinations or monopolies, or prohibiting unfair discrimination between different sections, communities or localities, and to provide immunity to the persons so testifying.

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

By Senator Sheean, Senate File No. 391.

A BILL FOR AN ACT, to Legalize the Proceedings of the City Cuoncil of the City of Tipton, Iowa, for the Construction of a Sewer System.

WHEREAS: The city council of the city of Tipton, Iowa, did on the 22nd day of January, 1912, pass a resolution declaring the necessity of constructing a system of sewers and a disposal or purifying plant in said city, and did thereafter order the construction of said sewer system and disposal of purifying plant, and did let contracts for the construction of said improvements;. and,

WHEREAS: Doubts have arisen respecting the legality of the proceedings of the city council preliminary to entering into the contract for the construction of said sewer system and respecting the legality of the resolution of necessity, the resolution ordering the construction of said improvements, the proposal to bidders and the notice thereof; therefore,

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

SECTION 1. That the resolution of necessity passed by the city council of the city of Tipton, Iowa, relative to the construction of the sewer system in said city, and the resolution ordering the construction of said work, and the proposal for bids and notice thereof dated February 3, 1913, be and the same are hereby legaliezd and made of as binding force as though done in strict conformity to law. Nothing in this act shall affect pending litigation.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force immediately after its publication in the Register & Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa, which publication shall be without expense to the state.

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

By Senator Legel, by request, Senate File No. 392, a bill for an act to amend section thirty-five hundred five (3505) of the code, relating to place of trial.

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

By Senator Arney, Senate File No. 393, a bill for an act to amend section two (2) of chapter one hundred and ninety (190) laws of the Thirty-third (33rd) General Assembly relative to the library commission and traveling library.

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

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Seate File No. 119, a bill for an act to require foreign corporations owning, controlling, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant or street railway located within the state of Iowa, or business of such works, plants or railways or owning or controlling stock in any corporation owning, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant or street railway located within the state of Iowa or the business of such plants or railways to comply with the laws governing the issuance of a capital stock of domestic corporations and the making of reports be domestic corporations and to require said foreign corporations to obtain a permit to transact business within the state of Iowa, and conferring upon courts of equity jurisdiction to dissolve and terminate corporations, works, plants or businesses violating this act and providing penalties for violations of this act, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

1. Amend the title by inserting in line three (3) of the printed title between the words "plant" and "or" the following: ", water works, works, interurban".

2. Amend the title by inserting in line eight (8) of the printed title between the words "plant" and "o" the following: ", water works, interurban".

3. Strike from line eight (8) of the printed title the words "in whole or in part."

4. Amend section 1 of the printed bill by inserting between the words "plant" and "or" in line six (6) thereof the following: "water works, interurban."

5. Amend section one (1) of the printed bill by inserting between the words "business" and "or" in line eight (8) thereof the following: "water works, interurban."

6. Amend section one (1) of the printed bill by inserting between the words "plant" and "or" in line 11 thereof the words ", water works, interurban."

7. Amend section one (1) of the printed bill by inserting after the word "plants" at the end of line 12 thereof the following: ", interurban."

8. Amend section one (1) of the printed bill by inserting between the words "plant" and "or" in line 13 thereof the following: ", interurban."

9. Amend section one (1) of the printed bill by inserting between the words "plants" and "street" in line 15 thereof the words, "interurban or."

10. Amend section one 1) of the printed bill by inserting between the words "plants" and "or" in line 17 thereof the following: ", interurban."

11. Amend section two (2) of the printed bill by inserting between the words "plant" and "or" in the sixth line thereof the following: ", water works, interurban."

12. Amend the bill by substituting for section 5 thereof the following:

"Sec. 5. Courts of equity shall have full power to dissolve, close up or dispose of any business or property owned, operated or controlled in violation of the provisions of this act; to dissolve any corporation owning or controlling the captital stock of any other corporation in violation of the provisions of this act and to close up or dispose of the business or property of said corporation; and if the court finds that, in order to carry out the purposes of this act, it is necessary so to do, it may dissolve the corporation issuing the stock which is owned in violation of the provisions of this act, close up the business of said corporation and dispose of its property, and the court may also appoint a receiver who shall be a resident of Iowa for any business or for any corporation which has violated the provisions of this act or of the corporation issuing the stock which is held in violation of this act. Any action to enforce the provisions of this act may be instituted by the attorney general in the name of the state of Iowa or by a citizen in the name of the state of Iowa at his own proper

cost and expense, reserving, however, to the stockholder owning capital stock not held in violation of this act all rights possessed by them." And when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Senator Neal called up the following concurrent resolution and moved its adoption:

"*Be it resolved by the Senate, the House concurring,* That copies of the Code of Iowa with the Supplement and session laws, be given to the Journal clerks of the Senate."

Senator Larrabee moved the resolution be referred to the committee on Retrenchment and Reform.

Motion lost.

Motion of Senator Neal prevailed, and resolution was adopted.

I move to reconsider the vote by which Senate concurrent resolution authorizing the furnishing of Codes by the state of Iowa to the Journal clerks, passed the Senate.

A. M. MCCOLL.

Journal of March 7th was taken up, corrected and approved.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Taylor of Van Buren, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your jointcommittee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House File No. 48, a bill for an act to amend section six hundred fifteen (615) of the Supplement to the Code, 1907, relative to the extension of the limits of cities and towns.

Also:

House File No. 86, a bill for an act to amend section two hundred twenty-seven (227) of the Supplement to the Code, 1907, as amended by the Thirty-fourth General Assembly, and to provide for additional judicial district and an additional judge for the fourth judicial district.

Also:

House File No. 177, a bill for an act to legalize certain acts of the mayor and city council of the city of Marshalltown, and to legalize certain warrants of the said city of Marshalltown, Iowa.

W. W. ANDERSON,
Chairman House Committee.

JOHN H. TAYLOR,
Chairman Senate Committee.

Report adopted.

Senators Savage moved that the Senate do now adjourn until 10 o'clock A. M., Monday.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 10, 1913.

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

Prayer was offered by Rev. S. B. Moore of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Wilson of Appanoose presented a remonstrance of citizens of Appanoose county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Fellows presented a petition of citizens of Fayette county favoring the daylight closing bill.

Referred to committee on Suppression of Intemperance.

Senator Fellows presented a remonstrance of citizens of Fayette county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator McColl presented a remonstrance of citizens of Dallas county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Boe presented a remonstrance of citizens of Winnebago county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Boe presented a petition of members of Cardiff Grange, No. 2069, of Mitchell county objecting to the removal of the department of home economics at Ames.

Referred to committee on Educational Institutions.

Senator Hilsinger presented a remonstrance of citizens of Jackson county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Legel presented a petition of citizens of Lawler asking that there be no change in the school law requiring outlying districts to pay their proportionate share of the expenses of high schools.

Referred to committee on Schools.

Senator Crow presented a remonstrance of citizens of Dunlap, Blencoe and Buck Grove protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a remonstrance of citizens of the thirty-fourth senatorial district protesting against Senate File No. 131.

Referred to committee on Schools.

Senator Spaulding presented a remonstrance of citizens of Guernsey protesting against the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Hilsinger presented a remonstrance of citizens of Jackson county protesting against the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator McManus presented a remonstrance of citizens of Lee county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Kimball presented a remonstrance of citizens of Pottawattamie county opposing House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Spaulding presented a remonstrance of citizens of Poweshiek county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balluff presented a remonstrance of citizens of Scott county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Sheean presented a remonstrance of citizens of Anamosa and West Liberty opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator White presented a remonstrance of citizens of Iowa county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balluff presented a remonstrance of citizens of Scott county protesting against the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Sheean presented a remonstrance of citizens of Tipton and West Liberty protesting against the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Sheean presented a petition of citizens of Jones county favoring the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator White presented a petition of citizens of Iowa county asking for the enactment of a law to secure protection by insurance against our liability for damages on account of personal injuries or damage to property resulting from accident caused by reason of the maintenance, use or operation of automobiles.

Referred to committee on Insurance.

Senator Wilson of Clinton presented a petition of teachers of Clinton county urging passage of the state annuity fund bill for teachers, House File No. 161.

Referred to committee on Schools.

Senator Wilson of Clinton presented a remonstrance of citizens of Clinton county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Clarkson presented a remonstrance of citizens of Blakesburg, Albia and Tyrone protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Clarkson presented a remonstrance of citizens of Monroe county opposing the passage of the Shankland bill, House File No. 436.

Referred to committee on Suppression of Intemperance.

Senator Clarkson presented a petition of members of Local Union No. 782, United Mine Workers of America, asking the passage of a law requiring the boards of managers of Iowa institutions to purchase fuel supplies from Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Clarkson presented a remonstrance of citizens of Marion county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Clarkson presented a petition from the G. A. R. of Pella urging the passage of the "Gettysburg" appropriation bill.

Referred to committee on Appropriations.

Senator Doran presented a remonstrance of citizens of Dallas, Boone and Story counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Smith presented a remonstrance of citizens of Shelby county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a remonstrance of citizens of Lucas and Wayne counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Arney presented a remonstrance of citizens of Marshall county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a remonstrance of citizens of Muscatine county opposing passage of Senate File No. 131.

Referred to committee on Schools.

Senator Garrett presented a remonstrance of citizens of Louisa county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Jewell presented a remonstrance of citizens of Ridgeway, Calmar and Cresco opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Chase presented a remonstrance of citizens of Hamilton county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Allen presented a remonstrance of citizens of Humboldt county opposing any change in the present school laws regarding text books.

Referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator White, Senate File No. 394, a bill for an act to repeal section three (3), chapter one hundred seventeen (117) of the acts of the Thirty-third General Assembly, and to enact a substitute therefor relating to the construction of levees, ditches

or drains by owners of lands for agricultural, sanitary or mining purposes across the lands of others, and providing for the condemnation of such lands as may be necessary for the construction and maintenance of such levees, ditches or drains.

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

By Senator Kimball, Senate File No. 395, a bill for an act to prohibit by penalty the transportation by common carrier or the offering for transportation to a common carrier any dangerous explosive marked as other than an explosive, or unless marked with the true name of the explosive.

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

By Senator Kimball, Senate File No. 396, a bill for an act to amend section two hundred fifty-four-a-nineteen (254-a-19) of the supplement to the code, 1907, and relating to the powers of court over publication of proceedings or matters in juvenile cases.

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

By Senator Balluff, Senate File No. 397, a bill for an act to make section eight hundred seven (807) of the code applicable to cities acting under special charter. Be it enacted by the general assembly of the state of Iowa: Section 1. That section eight hundred seven (807) of the code be and the same is hereby made applicable to cities under special charter.

Read first and second time and referred to committee on Cities and Towns.

By Senator Balluff, Senate File No. 398, a bill for an act amending section nine hundred twenty-two (922) of the supplement to the code, 1907, relating to plats by auditor, providing that no such plats shall be made for real estate situated in cities acting under special charter. Be it enacted by the general assembly of the state of Iowa: Section 1. That section nine hundred twenty-two (922) of the supplement to the code, 1907, be and the same is hereby amended by adding thereto the following: "Real estate situated in cities acting under special charter shall not be platted by the auditor under this section."

Read first and second time and referred to committee on Cities and Towns.

By Senator Doran, Senate File No. 399, a bill for an act to amend section fifteen hundred one (1501) of title eight (8), chapter one (1), of the code, relating to the exemption of petitioners from the payment of damages for the establishment of a public highway, upon a section line, relocation or vacation thereof.

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

By Senator Malmberg, Senate File No. 400, a bill for an act relating to elevators and warehouses on railroad land and prescribing methods and conditions of procuring and holding sites therefor, and liability for loss or destruction thereof.

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

By Senator Webber, Senate File No. 401, a bill for an act to punish the making or use of false statements to obtain property or credit.

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

By Senator Webber, Senate File No. 402, a bill for an act to amend section one thousand eight hundred seventy (1870) supplement to the code, 1907,relating to limiting liabilities to state and savings banks.

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

By Senator Webber, Senate File No. 403, a bill for an act relative to payment of deposits in trust.

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

By Senator Webber, Senate File No. 404, a bill for an act to punish derogatory statements affecting banks.

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

By Senator Webber, Senate File No. 405, a bill for an act to amend section one thousand three hundred thirty-three (1333) of the code, relating to insurance companies.

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

REPORTS OF COMMITTEES.

Senator Ames, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate File No. 175, a bill for an act repealing section twenty-three hundred forty-eight (2348) of the Code, 1897, and enacting a substitute therefor, providing for a bounty on wild animals and the proof necessary to secure such bounty, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 175.

A BILL FOR AN ACT to Amend Section Twenty-three Hundred Forty-eight (2348) of the Code, Relating to Bounty on Wolves.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the law as it appears in section twenty-three hundred forty-eight (2348) of the Code be amended by striking out of the first line thereof the word "five" and inserting in lieu thereof the word "twenty", and by striking out of the second line thereof the word "two" and inserting in lieu thereof the word "four"; and when so amended the bill do pass.

A. L. AMES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Hilsinger, from the committee on Board of Control and its Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 201, a bill for an act to provide for the establishment of a state farm for the detention, treatment and employment of defectives and persons convicted of crimes, to make provision for the control and management thereof; to provide what

persons shall be kept thereon, and to make an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same do pass, after being referred to the Appropriations committee.

G. E. HILSINGER,
Chairman.

Senator Hilsinger moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 279, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-four (2724) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to admission to the school for the deaf and to reports by county superintendents of deaf persons, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the word "twenty-five" which appears in the seventh and eighth lines of section one thereof, and inserting in lieu thereof the word "thirty-five"; also by striking out the word "twenty-five" in the seventeenth line of said section one, and inserting in lieu thereof the word "thirty-five"; also by adding after the word "county" in the seventeenth line of said section one the words "so far as he may ascertain"; and when so amended the bill do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 275, a bill for an act to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act, beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

On request of Senator Boe, leave of absence was granted Senator Mattes for the day.

On request of Senator McColl, leave of absence was granted Senator Thomas for the day.

On request of Senator Ream, leave of absence was granted Senator Schrup for the day.

On request of Senator Kimball, leave of absence was granted Senator Savage for the day.

Senator Sullivan called up for consideration the House concurrent resolution relative to the Des Moines Household Show, to be held in Des Moines, March 29th to April 5th.

Senator Farr moved that the Senate concur in the House concurrent resolution.

Carried.

THIRD READING OF BILLS.

On motion of Senator Cowles, Senate File No. 235, a bill for an act to amend section one thousand one hundred eighty-seven (1187) of the code, relative to sureties upon official bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cowles moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Balluff, DeWolf, Gillette, Hagemann, Hilsinger, Kimball, Legel, Malmberg, Robinson, Sheean, Smith, Sullivan, Webber—14.

The nays were:

Allen, Arney, Balkema, Boe, Chase, Cowles, Crow, Darrah, Doran, Farr, Fellows, Francis, Jones, Larrabee, Neal, Nye, Quigley, Ream, Spaulding, White, Wilson of Appanoose, Wilson of Clinton—22.

Absent or not voting:

Clarkson, Crist, Dunnegan, Garrett, Heald, Jewell, Mattes, McColl, McManus, Perkins, Savage, Schrup, Taylor, Thomas—14.

So the bill having failed to received a constitutional majority was declared to have been lost.

Senator Cowles filed the following motion:

"I move to reconsider the vote by which Senate File No. 235 was lost."

LAMONTE COWLES

On motion of Senator DeWolf, Senate File No. 118, a bill for an act to confer additional powers upon trust companies and to prescribe the conditions under which they may transact business, was taken up and considered.

Senator DeWolf moved that the substitute for the original bill be adopted.

Adopted.

Senator Smith offered the following amendment and moved its adoption:

I move to strike from Senate File No. 118 the words "guardian, administrator, executor", whether singular or plural, wherever the same appears in said bill.

Senator Sullivan was called to the chair at 11:15.

Senator Spaulding moved that the bill be made a special order for Wednesday at 10 o'clock A. M.

Motion lost.

President Harding resumed the chair at 11:40.

Senator Francis moved that the pending bill be referred to the committee on Banks and Banking.

Senator Doran moved the previous question.

Carried.

Motion to refer to committee on Banks and Banking was carried and the bill was so referred.

THIRD READING OF BILLS.

On motion of Senator Malmberg, Senate File No. 40, a bill for an act relating to loaning and depositing of public funds for city treasurers, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Malmberg moved that the substitute for the original bill be adopted.

Adopted.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend substitute for Senate File No. 40 by adding to the same the following: "Sec. 4. That if the city treasurer shall request it, the city shall pay the reasonable expense of procuring the bond for the city treasurer, not exceeding one-half of one per cent per annum upon the amount thereof."

Adopted.

Senator Balluff offered the following amendment and moved its adoption:

I move to amend section 1 by adding the following: "The depositing of funds by such treasurers in accordance with the resolution of such council shall relieve such treasurer and the sureties upon his bond from liability for the funds so deposited."

Lost.

The bill was read for information.

Senator Malmberg moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balluff, Boe, Clarkson, Cowles, Crow, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hage-

mann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Webber, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

Chase—1.

Absent or not voting:

Balkema, Crist, Darrah, Dunnegan, Jewell, Mattes, Savage, Schrup, Taylor, Thomas—10.

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

Journal of Saturday, March 8th, was taken up, corrected and approved.

INTRODUCTION OF BILLS.

By Senator Kimball, Senate File No. 406, a bill for an act to repeal section three thousand one hundred and thirty-eight of the supplement to the code, 1907, and chapter one hundred ninety-five (195) of the laws of the Thirty-third General Assembly and to enact a substitute therefor the following relating to the care of property belonging to guests of hotels and inns and liability for the loss thereof and to the lien of hotel and inn keepers thereon, and for providing a method for enforcing such lien.

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

By Senator Kimball, Senate File No. 407, a bill for an act to repeal chapter one hundred sixty-eight (168) of the acts of the Thirty-third (33rd) General Assembly, and to enact in lieu thereof the following relating to hotels, public lodging houses and restaurants, defining the same and prescribing rules for their operation and maintenance, so as to insure the safety and health of employes and patrons of same, providing for inspection thereof, establishing a hotel commission and providing for a hotel commissioner, and for the licensing of hotel and restaurant keepers, and fixing penalties for violation of such rules and regulation.

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

By Senator Webber, Senate File No. 408, a bill for an act to make an appropriation for the payment of the expense of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance of the final hearing in the case before the interstate commerce commission involving general advancement in rates.

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

By Senator Heald, Senate File No. 409, a bill for an act to repeal section two of chapter one hundred thirteen (113) laws of the Thirty-fourth General Assembly, and section twenty-five hundred and twenty-two (2522) supplement to the code, 1907, and enact substitutes therefor, providing for the appointment of dairy and food commissioner and assistants and fixing salaries of said officers; also providing for the making of reports to the state dairy commissioner, maintaining of certain establishments in a hygenic condition, proper cleaning of utensils and containers and providing penalties for violation thereof, regulating the sale of renovated butter or process butter; and amending section twenty-five hundred and twenty-four (2524) of the code relating to compensation of milk agents.

Read first and second time and referred to committee on Food and Dairy.

By Senator Heald, Senate File No. 410, a bill for an act to promote the purposes and work of the Iowa state conference of charities and correction.

Read first and second time and referred to committee on Charitable Institutions.

By Senator Gillette, Senate File No. 411, a bill for an act to repeal section 3445 of the code, and to enact a substitute therefor relative to the bringing of actions by legal representatives or successors of deceased persons, and providing for the survival to the estate of the right to recover damages for physical or mental pain and suffering.

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

Senator Gillette moved that the Senate do now adjourn until 9:30 A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 11, 1913.

Senate met in regular session at 9:30 o'clock A. M., President Harding presiding.

Prayer was offered by Senator Taylor of Van Buren county.

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. 552, a bill for an act authorizing and empowering the joint committee on Retrenchment and Reform to employ expert accountants and efficiency engineers, to institute reform, and making an appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 166, a bill for an act to provide additional qualifications for office and relating to removal from office (additional to chapter 6, title VI, of the Code).

A. C. GUSTAFSON,
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. 103, a bill for an act declaring the emission of smoke within the corporation limits of certain cities to be a public nuisance and conferring upon such cities additional powers for the abatement of such nuisance (additional to chapters 4 and 14 of title 5 of the Code).

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 151, a bill for an act to amend the law relating to the compensation and duties of school treasurers as the same appears in section 2780 of the Code and section 2768 of the Supplement to the Code, 1907.

A. C. GUSTAFSON,
Chief Clerk.

The following message was received from the governor and read:

STATE OF IOWA.

EXECUTIVE DEPARTMENT.

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

The state of Illinois has a commission of four senators appointed to investigate the "white slave" traffic in that state. The lieutenant governor is the chairman of the commission. I am advised by him that it has been "found that rings existing in Chicago work hand in hand with similar rings in Iowa." It is apparent that the Illinois committee can do little, if anything, with its information wth reference to "white slavery" in Iowa. Much, however, might be done to stamp out the evil, if it actually exists here, if this state would make thorough investigation through a like commission. It could co-operate with the Illinois commission and, indeed, with other states that might enter upon a crusade against the vice. The evil is a most revolting one. Every effort should be made to obliterate it.

I recommend, therefore, and urge upon you that you authorize the appointment of such a commission, with, if you think best, a tenure of two years, and that you clothe it with such powers as will enable it to thoroughly investigate the whole subject, directing it to ultimately re-

port its findings and recommend such legislation as it may deem advisable and do any and all such other things as you may think wise in the premises.

G. W. CLARKE,
Governor.

Done at Des Moines, Iowa, March 11, 1913.

Senator Boe moved that the communication from the governor be referred to a special committee of five senators to be appointed by the president of the Senate, with instructions to report back to the Senate such suggestions as they might deem best.

Carried.

The president appointed as such committee, Senators Boe, Perkins, Jones, Clarkson and Webber.

PETITIONS AND MEMORIALS.

Senator Boe presented a remonstrance of citizens of Kensett and Buffalo Center protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Savage presented a remonstrance of citizens of Madison county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Appanoose presented a remonstrance of citizens of Seymour and Exline protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Allen presented a remonstrance of citizens of Alta, Rolfe and Palmer protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Legel presented a remonstrance of citizens of Floyd county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Kimball presented a remonstrance of citizens of Carson protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Nye presented a remonstrance of citizens of Taylor county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Neal presented a remonstrance of citizens of Washington county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Spaulding presented a remonstrance of citizens of Poweshiek county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Larrabee presented a remonstrance of citizens of Webster county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Arney presented a remonstrance of citizens of Marshall county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a remonstrance of citizens of Seymour protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Nye presented a petition of members of the Nineteenth Century Club favoring the passage of the state annuity fund bill for teachers.

Referred to committee on Schools.

Senator Ream presented a remonstrance of citizens of Mahaska county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Mattes presented a remonstrance of citizens of Early, Wall Lake and Odebolt protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hilsinger presented a remonstrance of citizens of Jackson county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Clinton presented a remonstrance of citizens of DeWitt protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Smith presented a remonstrance of citizens of Shelby county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Ames presented a petition of citizens of Tama county urging passage of Senate File No. 57, relating to electric current for lighting.

Referred to committee on Public Utilities.

Senator Taylor presented a petition of citizens of Van Buren favoring passage of daylight closing bill.

Referred to committee on Suppression of Intemperance.

Senator Doran presented a remonstrance of citizens of Polk and Story counties protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hagemann presented a remonstrance of citizens of Butler county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Larrabee presented a remonstrance of citizens of Calhoun county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a remonstrance of citizens of Marshall county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Neal presented a remonstrance of citizens of Washington county opposing a permanent tax commission.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Ream, Senate File No. 412, a bill for an act to amend chapter one hundred six (106) acts of the Thirty-fourth General Assembly relating to the hoisting of men from shafts and to provide penalties for the violation of this act.

Read first and second time and referred to committee on Mines and Mining.

By Senator Cowles, Senate File No. 413.

A BILL FOR AN ACT to Legalize the Incorporation and Acts and Proceedings of Leopold Desk Company of Burlington, Des Moines county, Iowa.

WHEREAS: On the 14th day of May, 1886, a corporation to be known as the Northwestern Furniture Company was duly and legally organized for the purpose of engaging in the manufacturing, buying and selling of furniture at Burlington, Des Moines county, Iowa, the existence of such corporation to continue for twenty (20) years; and,

WHEREAS: On the 1st day of January, 1892, the name of said corporation was duly and legally changed to the "Rand-Leopold Desk Company;" and,

WHEREAS: On the 14th day of February, 1903, the name of said corporation was duly and legally changed to the "Leopold Desk Company;" and,

WHEREAS: By oversight and inadvertence the officers and stockholders failed to renew the existence of said corporation upon the expiration of the time for which it was incorporated; and,

WHEREAS: After the expiration of the time for which said corporation was created, the business of said corporation was continued in the same manner and by the same stockholders and officers who owned and managed said business prior to the expiration of the time for which it was created; and,

WHEREAS: The oversight in failing to renew the existence of said corporation did not come to the knowledge of the stockholders and officers until January 1, 1908; and,

WHEREAS: When said oversight was discovered, the same persons who owned and held all of the stock of said corporation, and were managing the business, prior to the expiration of the time for which it was created, and had continued the business subsequent to the expiration of the time for which it was created, an dhad continued the business subsequent to the expiration of the time for which said corporation was created in the same manner and at the same place as it has been conducted prior to such expiration, desiring to continue the same business, on the 6th day of January, 1908, signed and acknowledged articles of incorporation, which articles were duly recorded in the office of the recorder of Des Moines county, Iowa, and with the Secretary of State at Des Moines, Iowa, and a certificate was duly issued by said Secretary, authorizing said corporation to carry on the business for which it was incorporated, and the statutory notice of the organization of said corporation was given; and,

WHEREAS: The sole purpose in the execution and recording of said articles of incorporation, and the giving of said notice, was to continue the business of the corporation in the same manner and by the same persons and at the same place as it had been conducted prior to the date of the expiration of the time for which said corporation was originally organized, and was in effect but a renewal of the corporate existence, but by oversight a schedule of the assets of the corporation was not furnished the Executive Council and valued by said Council; and,

WHEREAS: Since the date of such re-incorporation, the stock of said corporation has all been owned by the same persons who owned it prior to such expiration of the time for which the corporation was originally organized, and the business of the corporation has been and is now being conducted by the same persons and in the same maner ad at the same place as prior to the expiration of the corporate existence, and it is the desire of the stockholders to continue such business; and,

WHEREAS: Because of such omission, the legality of the corporate exestence may be questioned;

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That the incorporation of the Leopold Desk Company, of Burlington, Iowa, be and is hereby legalized, and all acts and transactions of said Leopold Desk Company, of Burlington, Iowa, and the officers and agents thereof, be and are hereby legalized and declared to be as legal sufficient and binding as if said corporation had furnished the Executive Council of the State of Iowa with a schedule of its assets and said assets had been valued, as provided by statute.

Sec. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register & Leader and Des Moines Capital, newspapers published in the City of Des Moines, Iowa, and in the "Saturday Evening Post," a newspaper published at Burlington, Des Moines county, Iowa, without expense to the state.

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

By Senator Hagemann, Senate File No. 414, a bill for an act to amend chapter two hundred and four (204) of the acts of the Thirty-third General Assembly, amendatory to section four thousand nineteen (4019) and four thousand and twenty (4020) of the code relating to the preference of debts owing for labor.

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

By Senator Hagemann, Senate File No. 415, a bill for an act to amend section three thousand three hundred and forty-eight (3348) of the code relating to the order of payment of claims against estates.

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

By Senator Malmberg, Senate File No. 416, a bill for an act to amend section 720, supplement to the code, 1907, relating to the powers of cities and towns.

Read first and second time and referred to committee on Cities and Towns.

By Senator Darrah, Senate File No. 417, a bill for an act providing for the election of United States senators by a vote of the people.

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

The following communication from the president of the United States was received and read:

THE WHITE HOUS7.

WASHINGTON.

March 7, 1913.

Gentlemen:—The president was gratified to receive your kind telegram of March 5th, tendering the best wishes of the members of the Iowa General Assembly and asks me to convey to you and to the members of the two houses an expression of his warmest thanks for the pledge of support which you give him.

Sincerely yours,

J. P. TUMULTY,
Secretary to the President.

Hon. Joseph E. Meyer,
Secretary of the Senate, and
Hon. A. C. Gustafson,
Chief Clerk of the House,
Des Moines, Iowa.

HOUSE MESSAGES CONSIDERED.

House File No. 552, a bill for an act authorizing and empowering the joint committee on Retrenchment and Reform to employ expert accountants and efficiency engineers, to institute reform and making an appropriation therefor.

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

House File No. 166, a bill for an act to provide additional qualifications for office, and relating to removal from office. (Additional to chapter 6, title VI, of the code, relating to qualifications for office.)

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

Substitute for Senate File No. 103, a bill for an act to amend the law as it appears in section one (1), chapter thirty-seven (37) of the laws of the Thirty-fourth (34th) General Assembly of Iowa, relating to smoke nuisances in certain cities.

HOUSE AMENDMENT.

Strike out the parenthesis near the end of line four of the title and all words, figures and parenthesis following and insert in lieu thereof the following: 'and repealing chapter thirty-seven (37) of the laws of the Thirty-fourth General Assembly."

HOUSE AMENDMENT.

SECTION 1. The emission of dense smoke within the corporate limits of the cities of the state, including cities acting under commission form of government, now or hereafter having a population of thirty thousand or over and in cities acting under special charter now or hereafter having a population of sixteen thousand or over, is hereby declared a nuisance.

HOUSE AMENDMENT.

Strike out section 4, the publication clause.

Passed on file.

Senate File No. 151, a bill for an act to amend the law relating to the compensation and duties of school treasurers as the same appears in section twenty-seven hundred eighty (2780) of the code, and section twenty-seven hundred sixty-eight (2768) of the supplement to the code, 1907.

Passed on file.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House Files Nos. 48, 86 and 177.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 75, a bill for an act to repeal chapter one hundred sixty-six (166) of the acts of the Thirty-third General Assembly and to enact a substitute therefor relating to payments for their support by members of the Soldiers' Home.

Also:

Senate File No. 32, a bill for an act to amend the law as it appears in section two hundred sixty-five (265) of the Code, relating to the clerk of the superior court.

Also:

Senate File No. 134, a bill for an act for the relief of the grantees of G. W. Perkins, and for the purpose of having a patent issued in the name of John A. Rutter, for a certain tract of land.

JOHN H. TAYLOR,

Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 75, a bill for an act to repeal chapter one hundred sixty-six (166) of the acts of the Thirty-third General Assembly and to enact a substitute therefor relating to payments for their support by members of the Soldiers' Home.

Also:

Senate File No. 32, a bill for an act to amend the law as it appears in section two hundred sixty-five (265) of the Code, relating to the clerk of the superior court.

Also:

Senate File No. 134, a bill for an act for the relief of the grantees of G. W. Perkins, and for the purpose of having a patent issued in the name of John A. Rutter, for a certain tract of land.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 134, 32 and 75.

REPORTS OF COMMITTEES.

Senator Doran, from the committee on Labor, submitted the following report:

MR. PRESIDENT—Your committee on Labor, to whom was referred Senate File No. 311, a bill for an act to amend the law as it appears in section forty-nine hundred ninety-nine-a-4 (4999-a-4) of the Supplement to the Code, 1907, providing for the safety and comfort of laborers and other persons assembled in factories and buildings, beg leave to report they have had the same under consideration and recommend the same do pass.

J. R. DORAN,
Chairman.

Ordered passed on file.

Senator Cowles, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate File No. 98, a bill for an act to enable minors between the ages of 16 and 21 years to contract for life, health or accident insurance, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

LA MONTE COWLES,
Chairman.

Senator Cowles moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate File No. 237, a bill for an act relating to fire insurance and prohibiting discrimination therein and rebate of the premium charged and providing a penalty therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

LA MONTE COWLES,
Chairman.

Ordered passed on file.

Senator Hilsinger, from the committee on Board of Control and its Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 161, a bill for an act in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates, authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation for labor of patients, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 161.

A BILL FOR AN ACT in Relation to the Government and Discipline of the State Hospital for Inebriates at Knoxville, Iowa, Providing a Custodial Department for Habitual Inebriates, Authorizing the Board of Control of State Institutions on the Recommendation of the Superintendent to Remove Patients from One Department to Another and providing for Compensation for the Labor of Patients.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That there is hereby created in the state hospital for inebriates at Knoxville, Iowa, a department to be known as the custodial department.

Sec. 2. Said department shall be for the confinement of all male persons hereinafter committed to said hospital who have been discharged under the provisions of section twenty-three hundred ten-a-twelve (2310-a-12), supplement to the code, 1907, all male persons committed to said hospital who are found by the court making the order of commitment to be habitual inebriates or drug habituates, and any person committed to the hospital who, in the judgment of the board of control of state institutions acting upon the recommendation of the superintendent, is believed to be a menace to the maintenance of the discipline of the hospital, and providing that patients of any department of the hospital who leave the institution or grounds thereof without due authority shall be subject to transfer to said custodial department upon order of the superintendent of the hospital.

Sec. 3. No person confined in the custodial department shall be released therefrom until he shall have remained a full term of three years, but may be transferred to any other department of said hospital after two years' confinement, if, in the judgment of the board of control of state institutions acting upon the recommendation of the superintendent, such transfer would not be detrimental to the well-being

of other patients or to the discipline of the hospital and such transferred patients may be paroled as is provided by section twenty-three hundred ten-a-nineteen (2310-a-19), supplement to the code, 1907, providing nothing herein contained shall prevent the discharge of patients as is provided by section twenty-three hundred ten-a-twenty-nine (2310-a-29), supplement to the code, 1907.

Sec. 4. All habitual inebriates as defined in this act shall be kept and provided for in buildings or apartments separate from all other patients of the hospital and shall not be allowed to mingle or associate with them unless it be necessary in the performance fo their duties.

Sec. 5. All able-bodied patients of the hospital may be employed at labor on the farm, garden, grounds, in and on buildings, shops and other places owned or leased by the state and connected with said hospital when work can be provided, and each patient may be credited with the sum of seventy-five cents (.75) for each full day's labor satisfactorily performed. Fifty cents (.50) of said sum shall be deducted for his maintenance and the balance, twenty cents (.20), at the discretion of the superintendent may be paid monthly to those dependent upon him for support, if there be any; otherwise it shall be paid to said patient upon his legal release. All such payments shall be made from the general support fund of the hospital in the same manner as other obligations, providing, however, that no patient shall be entitled to remuneration under this act until he is in the hospital ninety consecutive days, and then only during such time as he conforms to the rules and regulations of the hospital.

Sec. 6. All acts and parts of acts inconsistent herewith are repealed; and when so amended the bill do pass.

G. E. HILSINGER,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Balkema, from the committee on Highways, submitted the following report:

MR. PRESIDENT—Your committee on Highways, to whom was referred Senate File No. 224, a bill for an act to amend section thirty-three (33), chapter seventy-two (72), acts of the Thirty-fourth (34) General Assembly, relating to the distribution of the fees derived from the registration of motor vehicles, beg leave to report they have had the same under consideration and recommend the same do pass.

N. BALKEMA,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Highways, to whom was referred House File No. 66, a bill for an act to amend the law as it appears in sections 1989-a19, 1989-a26, 1989-a27, and 1989-a38, of the Supplement to the Code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-fourth General Assembly, and chapter 120 of the acts of the Thirty-third General Assembly, relating to assessments for benefits to roads, streets, and highways in levee or drainage districts, to interest thereon, and to issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued, beg leave to report they have had the same under consideration and recommend the same do pass.

N. BALKEMA,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Highways, to whom was referred Senate File No. 273, a bill for an act to repeal section 2024-i of the Supplement of the Code of Iowa, 1907, and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material assessable for general use for road improvement and providing punishment for use of said material for other than road purposes, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

N. BALKEMA,
Chairman.

Senator Balkema moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Ames, 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 provide for the destruction of noxious weeds and other weeds upon lands, highways and other places; prescribing penalties for the violation thereof; assessing the

costs and expenses of the destruction of the same to the lands and owners thereof; and providing funds with which to destroy the same, and repealing all of chapter ninety-six (96) of the acts of the Thirty-third General Assembly relating to weeds upon lands and highways, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 136.

A BILL FOR AN ACT to Provide for the Destruction of Noxious Weeds and Other Weeds upon Lands, Highways and Other Places; Prescribing Penalties for the Violation Thereof; Assessing the Costs and Expenses of the Destruction of the Same to the Lands and Owners Thereof; and Providing Funds with Which to Destroy the Same, and Repealing all of Chapter Ninety-six (96) of the Acts of the Thirty-third General Assembly Relating to Weeds upon Lands and Highways.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. It shall be the duty of each owner, occupant or person in control of any lands within the state of Iowa, whether the same shall consist of improved or unimproved lands, town or city lots, lands used for railway right of way or depot grounds, lands in which the public has an easement for road, street or other right of way, or lands used for any other purpose whatsoever, to cut, burn, or otherwise entirely destroy all noxious weeds as defined in section two (2) hereof at such times in each year and in such manner as shall prevent the said weeds from blooming or coming to maturity, and to keep the said lands free from such growths of other weeds as shall render the streets or highways adjoining the same unsafe for public travel or shall interfere in any manner with the proper construction or repair of said steets or highways, and shall cause to be cut, near the surface, all weeds on the streets or highways adjoining said lands between the fifteenth day of July and the fifteenth day of August of each year. But nothing herein shall prevent the land owner from harvesting the grass grown upon the roads along his land in proper season.

Sec. 2. The following weeds are hereby declared to be noxious weeds; namely, quack grass (agropyron repens), Canada thistle (cirsium arvense), cocklebur (xanthium canadense), wild mustard (brassica arvensis), sour or curled dock (rumex orispus), smooth dock (rumex altissimus), buckhorn or ribbed plantain (plantago lanceolata), wild parsnip (pastinaca sativa), horse nettle (solanum carolinense), velvet weed or button weed (abutilon theophrasti), burdock (arctium lappa), shoo fly (hibiscus trionum) and wild carrot (daucus carota).

Sec. 3. If any such owner, occupant, or person in control of any such land shall fail or neglect to do the things necessary to prevent the said noxious weeds on any such land from blooming or coming to ma-

turity, or shall permit weeds thereon contrary to the provisions of section one (1) hereof, or if it shall appear that there is danger that any such noxious weeds on any such land may mature, then upon their own motion or upon complaint made to any member thereof, it shall be the duty of the board of trustees of the township in which such land lies or to which such land may be adjacent and within the same county, or of the town council or board of commissioners if within the limits of an incorporated town or city, to make investigation of such condition or complaint, and if it appears that there is danger that any such noxious weeds may mature or that weeds thereon render or are about to render the streets or highways adjoining the land unsafe for public travel or interfere or are about to interfere in any manner with the proper construction or repair of the said streets or highways, the said board of trustees, town council or commissioners, as the case may be, shall make an order fixing the time within which the weeds shall be prevented from maturing seed or the said weeds shall be destroyed, prescribing the manner of their destruction, and shall forthwith give notice in writing of the said order personally to the owner of the land upon which the same exist if service of such notice can be made within the township in which such land is situated, and if it can not be so served, then by mailing said notice by registered mail to the owner at his last known address, and also by giving a copy of the notice to the person, company or corporation in the apparent control or occupancy of the said land, whose duty it shall also be to mail said notice to the owner, and if the order so made is not substantially complied with by the time fixed in the order and after reasonable notice as herein provided, then it shall be the duty of the board of trustees, town council or commissioners, as the case may be, forthwith to cause said order to be fully performed, and the expense of the same including the costs of serving said notice and the special meetings of the board of trustees, town council or commissioners, if any were required, shall be advanced out of the township road fund, or town or city general fund, as the case may be; or if the said fund shall be insufficient therefor, the town council, commissioners, or the board of trustees may borrow the money necessary to advance the same by issuing warrants of a like amount upon the road fund, or upon the town or city general fund, and at any meeting of the board they shall assess all of the same against the said land and the owner thereof by a special tax which shall be certified and collected together with interest and penalty after due in the same manner as road taxes unpaid and shall be collected by the county treasurer and when collected shall be paid into the road fund of the township.

Sec. 4. It shall be the duty of the board of trustees of each township to consider the conditions of all lands and highways within the township and outside of incorporated towns and cities as to noxious weeds, and the town councils and commissions shall have the same duties with reference to lands within their respective towns or cities, and on complaint made to them or on their own motion, whenever it

may appear that any of such lands within their jurisdiction are infested with noxious weeds or other weeds, whether about to bloom and mature or not, they shall order their destruction before a date to be fixed in the said notice and prescribe the manner in which the destruction shall be accomplished, notice of which order shall be given as provided in section three (3 hereof, and if the said order shall not be complied with, the board may proceed to cause the said order to be performed and shall certify the expense thereof and it shall be paid and assessed to the lands upon which the same shall have been destroyed and to the owners or owner thereof and be collected in the same manner as is provided for the expense of proceedings under section three (3) hereof.

Sec. 5. It shall be the duty of all officers directly responsible for the care of public highways to make complaint to the proper town ship trustees or town councils or commissions, as the case may be, whenever it shall appear that the provisions of section one (1) hereof may not be complied with in time to prevent the blooming and maturing of noxious weeds or the unlawful growth of weeds, whether in the streets or highways for which they are responsible or upon lands adjacent to the same.

Sec. 6. All of the provisions of this section relating to the duty of the owner of the lands to prevent the blooming and maturing of noxious weeds thereon and to destroy such growths of other weeds thereon as may interfere with the use of highways shall apply also to cities and towns and the proper officers there as to all streets, highways and lands of any kind within their borders the fee of which shall rest in the public.

Sec. 7. It shall be the duty of the township clerk between the first and the fifteenth days of May of each year to post in two conspicuous places in each school district of the township a notice calling attention to the weed law of the state of Iowa and giving a list of the noxious weeds contained therein and notifying the property owners to meet the requirements of the law.

Sec. 8. It shall be the duty of the township clerk between the fifteenth and thirtieth days of October of each year to make a report to the board of supervisors of the county in which his township is situated as to the presence and location of noxious weeds that have been reported or found within the township and the steps taken to bring about the destruction thereof, a copy of which report shall be forwarded to the board of supervisors to be kept on file and a copy of same to be forwarded by them to the secretary of the Iowa department of agriculture not later than the first day of December following.

Sec. 9. Any township trustee or road officer or other officer who neglects or fails to perform the duties incumbent upon him under the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars ($100.00).

Sec. 10. This act, being deemed of immediate importance, shall take effect and be in full force after its publication in the Register and Leader and the Des Moines Capital, newspapers published in the Des Moines, Iowa; and when so amended the bill do pass.

A. L. AMES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Sullivan, 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. 171, a bill for an act to regulate the business of loaning money on security of any kind by persons, firms and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, and real estate brokers in the state of Iowa, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Judiciary.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Judiciary.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 349, a bill for an act to amend the law as it appears in section eight hundred twenty-five (825) of the Code, relating to street improvements and sewers, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 277, a bill for an act to authorize the use and expenditures of the sinking fund provided for in chapter five (5) of the Code of 1897, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 319, a bill for an act to amend the law as it appears in section eight hundred twenty-three (823), Supplement to the Code, 1907, as amended by chapter forty-two (42), acts of the Thirty-fourth General Assembly, relating to street improvements and sewers, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the word and figure "five (5)" in the seventh line of section one (1) and inserting in lieu thereof the word and figures "ten (10)"; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 384, a bill for an act to amend the law as it appears in section six hundred thirty-nine (639) of the Code, relating to the classes of cities and towns, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 254, a bill for an act to repeal section six hundred ninety-one (691) of the Code, relating to the jurisdiction in actions for

the violation of city ordinances and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

On request of Senator Darrah, leave of absence was granted Senator Perkins for the day.

On request of Senator Wilson of Appanoose, leave of absence was granted Senator Savage for the day.

On request of Senator Wilson of Appanoose, leave of absence was granted Senator Kimball for the day.

THIRD READING OF BILLS.

On motion of Senator Sheean, Senate File No. 43, a bill for an act appropriating the sum of five thousand dollars ($5,000.00), to indemnify Allan W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Sheean moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Sheean moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Cowles, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel,

Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Clarkson, Crist, Crow, Dunnegan, Jewell, Perkins, Taylor, Thomas, Webber—9.

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

On motion of Senator Farr, Senate File No. 104, a bill for an act to amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850) supplement to the code of 1907, relating to the investment of funds by savings banks, was taken up and considered.

On the motion filed by Senator Schrup on March 4th to reconsider the vote by which Senate File No. 104 failed to pass the Senate, a roll call was demanded.

Those favoring the motion to reconsider were:

Allen, Arney, Balkema, Balluff, Boe, Darrah, DeWolf, Farr, Fellows, Francis, Hagemann, Heald, Jones, Kimball, Legel, McColl, McManus, Neal, Nye, Quigley, Ream, Savage, Schrup, Sheean, Thomas, White, Wilson of Clinton—27.

The nays were:

Ames, Chase, Clarkson, Cowles, Doran, Garrett, Gillette, Hilsinger, Larrabee, Malmberg, Mattes, Robinson, Smith, Spaulding, Sullivan, Taylor, Wilson of Appanoose—17.

Absent or not voting:

Crist, Crow, Dunnegan, Jewell, Perkins, Webber—6.

Motion prevailed.

Senator Clarkson moved that the rules be suspended and the Senate reconsider the vote by which Senate File No. 104 passed to its third reading.

On the motion, a roll call was demanded.

Those favoring the motion were.

Allen, Arney, Balkema, Balluff, Clarkson, Cowles, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Quigley, Ream, Robinson, Smith, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

Chase, Mattes, Savage, Spaulding—4.

Absent or not voting:

Ames, Boe, Crist, Crow, Dunnegan, Farr, Jewell, Neal, Nye, Perkins, Schrup, Sheean, Sullivan, Webber—14.

So the motion prevailed.

Senator Francis offered the following amendment and moved its adoption:

I move to amend by striking from the printed bill, all after the word "estate" in line six and substitute therefor the words, "except real estate situated in any county adjoining the Iowa state line."

Further consideration of the bill was 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 speaker has appointed as Conference committee on the part of the House on House File No. 135, Sherman of Poweshiek, Stipe of Page, Mitchell of Wapello, Lund of Hamilton.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, to which the attention of the Senate is respectfully requested.

A. C. GUSTAFSON,
Chief Clerk.

The time having arrived for special order, the Senate took up for consideration Senate File No. 213, a bill for an act to amend section four thousand nine hundred and ninety-nine-a-thirty-five (4999-a-35) supplement to the code, 1907, as amended by chapter one hundred and seventy-six (176) acts of the Thirty-fourth General Assembly, relating to the pure drug act.

Senator Darrah offered the following amendment and moved its adoption:

I move to amend by inserting after the word "sell" in the second line the words "either at wholesale or retail."

Adopted.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by inserting after the word "misleading" and before the word "shall" in the next to the last line the words "and which is known to the person, firm, corporation or association to be untrue."

Senator Boe moved that the bill be re-referred to the committee on Pharmacy.

Motion lost.

The amendment offered by Senator Kimball was lost.

Senator Taylor 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 ayes were:

Boe, Clarkson, Crist, Darrah, DeWolf, Jones, Larrabee, Legel, McColl, Neal, Robinson, Sheean, Smith, White, Wilson of Clinton —15.

The nays were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Crow, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Hilsinger, Malmberg, Mattes, Nye, Ream, Schrup, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose—26.

Absent or not voting:

Cowles, Dunnegan, Heald, Jewell, Kimball, McManus, Perkins, Quigley, Savage—9.

So the bill having failed to receive a constitutional majority was declared lost.

The committee on Retrenchment and Reform submitted the following report:

MR. PRESIDENT—Your committee on Retrenchment and Reform beg leave to report that they have had under consideration the department of agriculture and its conduct of the state fair, and request that all members of the Senate and House submit to the committee any information at their disposal relative to the state board of agriculture, and an invitation is hereby extended to any person desiring to submit evidence to the committee relative to the management of the state fair, to appear before said committee on the 13th or 14th day of March, 1913, in the afternoon of said dates.

J. H. ALLEN,
Chairman Committee on Retrenchment and Reform.

Passed on file.

INTRODUCTION OF BILLS.

By Senator Chase, Senate File No. 418, a bill for an act to require the equipment and maintenance of sanitary closets at railway stations in this state, providing for the regulation and inspection thereof and fixing a penalty for violation of this act.

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

By Senator Chase, Senate File No. 419, a bill for an act to prevent the issuance of free passes for admission to the Iowa State Fair.

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

By Senator Chase, Senate File No. 420, a bill for an act to empower the board of supervisors to drain and otherwise improve the public highways.

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

By Senator Chase, Senate File No. 421, a bill for an act to amend section sixteen hundred fifty-seven-e (1657-e) of the supplement to the code, 1907, relative to the qualifications of board of directors of the state board of agriculture.

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

PETITIONS AND MEMORIALS.

Senator Chase presented a petition of citizens of Hamilton county urging the passage of a law so as to secure protection by insurance against liability for damages on account of personal injuries or damage to property resulting from accident caused by reason of the maintenance, use or operation of automobiles.

Referred to committee on Insurance.

Senator Chase presented a petition of citizens of Hamilton county favoring a road law for a one mill tax, etc.

Referred to committee on Roads and Highways.

Senator Chase presented a petition of citizens of Hamilton county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Francis presented a remonstrance of citizens of Spencer and Wallingford protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Thomas presented a remonstrance of citizens of Talmage protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Thomas presented a petition of teachers of the Mt. Ayr schools favoring the state annuity fund bill for teachers.

Referred to committee on Schools.

Senator Chase presented a petition of citizens of Hamilton urging passage of Senate File No. 102, by Doran, and House File No. 318.

Referred to committee on Railroads.

Senator McColl presented a remonstrance of citizens of Dallas county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Thomas presented a remonstrance of citizens of Union county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Legel presented a petition of citizens of Floyd county favoring the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Legel presented a remonstrance of citizens of Floyd county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

REPORT OF COMMITTEE.

Senator Darrah, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 48, a bill for an act to repeal the law as it appears in section four hundred ten (410) and four hundred eleven (411), Supplement to the Code, 1907, and to enact a substitute therefor relating to the election, compensation, duties and terms of county supervisors, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 48.

A BILL FOR AN ACT to Repeal the Law as it Appears in Sections Four Hundred Ten (410) and Four Hundred Eleven (411) Supplement to the Code, 1907; and to Enact a Substitute Therefor Relating to the Election, Compensation, Duties and Terms of Office of County Supervisors.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in sections four hundred ten (410) and four hundred eleven (411) supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

The board of supervisors of each county shall consist of three persons who shall be qualified electors. They shall be elected at large by the qualified voters of their respective counties and shall hold office for a term of four years and until their successors are elected and qualified. The terms of office of all supervisors elected prior to the general election in the year 1916 shall expire on the second secular day of January, 1917. At the general election in the year 1916 there shall be elected according to the provisions of this act three supervisors at large, one of whom shall be elected for the short term of two years commencing on the second secular day in January, 1917, and the other two for the long term of four years commencing on the second secular day in January, 1917. At the general election in 1918, and every fourth year thereafter, there shall be elected in each county one supervisor, and at the general election in in 1920, and every fourth year thereafter there shall be elected in each county two supervisors as herein provided. The term of office of all supervisors elected under the provisions of this act shall commence on the second secular day of January immediately following their election. Provided that not more than one supervisor shall be elected to serve at the same time from any one township or city or town.

Sec. 2. Before entering upon the discharge of the duties of his office, each member of the board of supervisors shall give a bond in the penal sum of five thousand dollars ($5,000.00) conditioned as provided in section eleven hundred eighty-three (1183) of the code, the same to be approved by the clerk of the district court of the county and be filed in the office of said clerk.

Sec. 3. All acts and parts of acts in so far as they are in conflict with this act are hereby repealed; and when so amended the bill do pass.

J. H. DARRAH,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Journal of March 10th was taken up, corrected and approved.

Senator Francis moved that the Senate do now adjourn until 1 o'clock P. M., today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

The Senate met pursuant to adjournment at 1 o'clock, President Harding presiding.

PETITIONS AND MEMORIALS.

Senator Heald presented a petition of citizens of Avery and Cedar Rapids asking for an amendment to the law as it appears in section 1088 of the code.

Referred to committee on Elections.

Senator Heald presented a remonstrance of citizens of Cedar Rapids opposing a permanent tax commission.

Referred to committee on Ways and Means.

THIRD READING OF BILLS.

On motion of Senator Chase, House File No. 6, a bill for an act to amend section 2849 of the supplement to the code of 1907, relative to school loans, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Chase moved the adoption of the following amendments:

Amend the title by inserting a "," (comma) after the word "code" in line two.

Amend section 1 by inserting a "," (comma) after the word "code" in line two.

Amend section 1 by striking out the "," (comma) after the figure "1" (one), and inserting a "." (period) in lieu thereof.

Adopted.

Senator Chase 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Quigley, Ream, Robinson, Schrup, Smith, Spaulding, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, DeWolf, Dunnegan, Jewell, Kimball, McColl, McManus, Perkins, Savage, Sheean, Sullivan, Taylor—12.

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

On motion of Senator Webber, Senate File No. 316, a bill for an act to legalize the adoption of certain propositions at an election of the county of Wapello, state of Iowa, with the effect of authorizing the board of supervisors of said county to purchase land for an addition to the county home farm of said county, and to incur indebtedness for the purchase of such land, and to levy a continuing annual tax to provide for the payment of such indebtedness, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Webber 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Allen, DeWolf, Dunnegan, Hagemann, Jewell, Kimball, Perkins, Savage, Sheean, Sullivan—10.

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

On motion of Senator Francis, Senate File No. 291, a bill for an act to legalize conveyance of real property by foreign executors or trustees under foreign wills where the provisions of section 3295 of the code were not observed or complied with, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Francis 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Allen, Cowles, Crist, DeWolf, Dunnegan, Jewell, Kimball, Perkins, Savage—9.

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

By unanimous consent Senator Clarkson introduced the following resolution:

WHEREAS: Honorable William J. Bryan, citizen, commoner and secretary of state of the United States, will be in this, the city of Des Moines, as a guest of the Iowa democracy of date March 20, 1913; therefore,

Be It Resolved by the Senate, the House concurring, That we extend to our distinguished visitor and honored guest an invitation to address a joint meeting of the House and Senate in the Hall of Representatives on the afternoon of said date at two o'clock P. M., and that the president of the Senate appoint two members of the senate, and the speaker of the House appoint three members of the House as a committee for and in behalf of the members of the Thirty-fifth General Assembly to extend to our guest an invitation to address the General Assembly at said time and place.

Laid over under the rules.

On motion of Senator Gillette, House File No. 189, a bill for an act legalizing and curing the acts and proceedings of the incorporated town of Aurelia and the town council of the said incorporated town, in the county of Cherokee and state of Iowa, in relation to the establishment, erection, maintenance and operation of a system of water works and a gas plant and the issuance of bonds and warrants of said town in payment thereof, and authorizing the town council of said town to issue bonds for the purpose of taking up its floating indebtedness represented by its bonds and warrants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted

Senator Gillette 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, Crist, Crow, DeWolf, Dunnegan, Jewell, Kimball, Perkins, Savage, Taylor—12.

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

Senator Clarkson assumed the chair at 1:25.

On motion of Senator Jones, Senate File No. 276, a bill for an act to reimburse innocent persons who have been, or may be convicted of crime and imprisoned in the state reformatory or state penitentiary, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jones offered the following amendment and moved its adoption:

Strike out the words of section one to and including the word "crime" in fourth line of printed bill and insert the following: "That whenever any person shall have been heretofore, or may hereafter, be convicted of a felony committed within this state and on July 4th, 1913, or any time hereafter, shall be confined in any penal institution within this state as a punishment for said crime".

Also:

Strike out the words in ninth line of printed bill, "said reformatory or penitentiary", and substitute therefor the words, "such penal punishment".

Adopted.

President Harding resumed the chair at 1:40.

Senator Jones 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, White—36.

The nays were:

Doran, Hagemann, Wilson of Appanoose—3.

Absent or not voting:

Allen, Cowles, Crist, DeWolf, Dunnegan, Jewell, Kimball, Perkins, Savage, Spaulding, Wilson of Clinton—11.

Senator Jones offered the following amendment to the title to Senate File No. 276 and moved its adoption:

Amend title by striking from same the words, "crime" and "the state reformatory or state penitentiary", and insert "a felony" and "a penal institution in Iowa".

Adopted.

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

On motion of Senator Clarkson, Senate File No. 283, a bill for an act to provide for and require instruction in public schools with reference to prevention of accidents, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clarkson moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balluff, Boe, Chase, Clarkson, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Cowles, Crist, Dunnegan, Farr, Jewell, Kimball, Perkins, Quigley, Savage, Webber—12.

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

On motion of Senator Chase, Senate File No. 80, a bill for an act to pension the survivors of the Spirt Lake relief expedition of 1857, with report of committee on Appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Chase moved the adoption of the report of the committee on Military.

Adopted.

Senator Larrabee was called to the chair at 2:10.

Senator Chase 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton —43.

The nays were:

None.

Absent or not voting:

Crist, Dunnegan, Farr, Jewell, Kimball, Perkins, Savage—7.

Senator Chase offered the following amendment to the title of Senate File No. 80 and moved its adoption:

A bill for an act to pension the survivors of the Spirit Lake relief expedition of 1857, providing the amount of such pensions, the method of payment, and making an appropriation therefor.

Adopted.

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

REPORT OF COMMITTEE.

Senator Smith, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health presents herewith a joint bill of the Senate and House on public health pertaining to vital statistics, with the recommendation that same do pass, after being referred to the committee on Appropriations.

P. M. JEWELL,
Chairman.

Ordered passed on file.

Senator Smith moved the adoption of the report of the committee.

Adopted.

INTRODUCTION OF BILLS.

By joint committee on Public Health, Senate File No. 422, a bill for an act to provide for the creation of a state registrar, county registrar and local registrar of vital statistics, and the appointment thereof, and for the immediate registration of all births and deaths throughout the state of Iowa by means of certificates of births and deaths, burial and removal permits; to require prompt returns to the bureau of vital statistics at the capital of the state as required to be established by the state registrar of vital statistics; to insure the thorough efficiency of the registration of vital statistics throughout the state; to provide penalties for the violation thereof, and making an appropriation of ten thousand ($10,000) dollars therefor, and to repeal sections twenty-five hundred seventy-five-a-eleven (2575-a-11), twenty-five hundred seventy-five-a-twelve (2575-a-12), twenty-five hundred seventy-five-a-thirteen (2575-a-13), twenty-five hundred seventy-five-a-fourteen (2575-a-14), twenty-five hundred seventy-five-a-fifteen (2575-a-15) supplement to the code, 1907, and all acts and parts of acts in conflict herewith; all pertaining to vital statistics and registration of births and deaths.

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

Senator Allen introduced the following concurrent resolution:

WHEREAS: Senate File No. 306 proposes several fundamental and far-reaching changes in the law relating to the Commerce Counsel, and this Senate should be thoroughly advised of the important facts concerning the same before any action be taken; therefore,

Be it resolved by the Senate, the House concurring, That the chairman of the board of railroad commissioners be requested to furnish the General Assembly with a statement of the functions of the Commerce Counsel, as distinguished from those of the board of railroad commissioners, together with a description of the cases, and the work which has been done by said official during the past biennial period, individually, and also showing what said official has accomplished in connection with any member or members of the board of railroad commissioners.

By unanimous consent the resolution was taken up for consideration.

Senator Allen moved the adoption of the resolution.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 75, a bill for an act to repeal chapter one hundred sixty-six (166) of the acts of the Thirty-third General Assembly, and to enact a substitute therefor relating to payments for their support by members of the Soldiers' Home.

Also:

Senate File No. 32, a bill for an act to amend the law as it appears in section two hundred sixty-five (265) of the Code relating to the clerk of the superior court.

Also:

Senate File No. 134, a bill for an act for the relief of the grantees of G. W. Perkins, and for the purpose of having a patent issued in the name of John A. Rutter, for a certain tract of land.

JOHN H. TAYLOR,
Chairman.

Passed on file.

Senator Thomas, from the committee on Compensation of Public Officers, returned to the Senate, Senate File No. 345.

Senator Francis 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 12, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. Nathan H. Gist, Clarion, Iowa.

PETITIONS AND MEMORIALS.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Gillette presented a remonstrance of citizens of Cherokee county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Robinson presented a remonstrance of citizens of Geneva, Iowa, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Boe presented a remonstrance of citizens of Winnebago county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Thomas presented a remonstrance of citizens of Union county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Ream presented a remonstrance of citizens of Mahaska county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator White presented a remonstrance of citizens of Iowa county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Appanoose presented a remonstrance of citizens of Moravia, Mystic and Seymour protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a remonstrance of citizens of Story county opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Doran presented a remonstrance of citizens of Boone and Story counties protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Ames presented a petition of citizens of Benton and Tama counties favoring the passage of committee substitute for Senate File No. 57.

Referred to committee on Judiciary.

Senator Farr presented a remonstrance of citizens of Sioux City protesting against the passage of House File No. 369.

Referred to committee on Schools.

Senator Gillette presented a petition of ministers and members of the Ministerial Union of Cherokee, Iowa, favoring passage of daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Ames presented a petition of citizens of Tama and Benton counties favoring passage of daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Ames presented a petition of teachers of Tama county favoring passage of the state annuity fund bill.

Referred to committee on Schools.

Senator Darrah presented a remonstrance of citizens of Lucas and Wayne counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Schrup, by request, Senate File No. 423, a bill for an act to amend the law as it appears in section one thousand seven hundred fifty-eight-a (1758-a) of the supplement to the code, 1907, relating to insurance policy forms.

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

By Senator Chase, Senate File No. 424, a bill for an act to regulate the levy and collection of special assessments in cities and towns and cities acting under special charter and cities under commission plant of government. (Amendatory to chapter seven (7), title five (5), of the code.)

Read first and second time and referred to committee on Cities and Towns.

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. 23, a bill for an act to provide for the appointment of clerk of the supreme court and reporter of the supreme court, to fix the term of such officials and to repeal section 1067 of the Code.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 87, a bill for an act to amend section 4603 by providing for cross-examination of witnesses.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 159, a bill for an act to amend section 3756 of the Code, relating to the hearing of motions for a new trial and the decisions thereon.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 amend section 1, chapter 104 of the acts of the Thirty-third General Assembly, as amended by chapter 73 of the acts of the Thirty-fourth General Assembly, relative to recording of articles of incorporation of corporations for pecuniary profit.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 144, a bill for an act to amend sections 2, 3, 5 and 7 of the law as it appears in chapter 100 of the laws of the Thirty-fourth General Assembly and adding new sections to the same, relating to stallions and jacks.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Chase, Senate File No. 425, a bill for an act to amend section eight hundred seventeen (817) of the code, relating to special assessments for street improvements.

Read first and second time and referred to committee on Cities and Towns.

HOUSE MESSAGES CONSIDERED.

House File No. 23, a bill for an act to provide for the appointment of clerk of the supreme court, and reporter of the supreme court, to fix the term of office of such officials, and to repeal section one thousand sixty-seven (1067) of the code.

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

House File No. 87, a bill for an act to amend section forty-six hundred three (4603) of the code by providing for the cross examination of the adverse party to the record of any civil action or proceeding, or a person for whose benefit action or proceeding is prosecuted or defended, or the directors, officers, superintendent, or managing agents of any corporation which is a party to the record, and providing that the party calling such witness shall not be bound by his testimony and that the testimony of such witness may be rebutted by the party calling such witness by other evidence; all relating to evidence in civil actions and proceedings.

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

House File No. 159, a bill for an act to amend section three thousand seven hundred fifty-six (3756) of the code relating to the hearing of motions for a new trial and the decisions thereon.

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

House File No. 231, a bill for an act to amend section one (1), chapter one hundred four (104) of the acts of the Thirty-third General Assembly, as amended by chapter seventy-three (73) of the acts of the Thirty-fourth General Assembly, relative to recording of articles of incorporation of corporations for pecuniary profit.

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

Substitute for Senate File No. 144, a bill for an act to amend sections two (2), three (3) and seven (7) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly, and adding new sections to the same relating to stallions and jacks.

Passed on file.

House concurrent resolution:

Be it resolved by the House that the Senate be requested to instruct the secretary that all House bills passed by the House, messages to the Senate and assigned to a committee be turned over to the chairman of such committee on the same day of the assignment.

Referred to committee on Educational Institutions.

REPORTS OF COMMITTEES.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 141, a bill for an act to repeal the law as it appears in section twenty-six hundred ninety-two-a (2692-a) of the Supplement to the Code of 1907, and to repeal section one (1) of chapter one hundred seventy-two (172) of the acts of the Thirty-third General Assembly relating to state agents, their salaries and supplies, and to enact a substitute therefor and to amend section one (1) of chapter one hundred thirty-four (134) making an appropriation for the salaries and expenses of state agents, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 226, a bill for an act to repeal the law as it appears in sections twenty-six hundred ninety-one (2691) and twenty-six hundred ninety-two (2692) of the Supplement to the Code, 1907, and to

enact a substitute therefor to provide for the support of the Iowa Soldiers' Orphans' Home, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 236, a bill for an act making additional appropriations to the State Historical Society of Iowa, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 236.

A BILL FOR AN ACT Making Appropriations to the State Historical Society of Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That there is hereby appropriated to the State Historical Society of Iowa, out of any money in the state treasury, not otherwise appropriated, the sum of twenty thousand dollars ($20,000) annually hereafter as permanent support and for the continuation of applied history researches and publications.

Sec. 2. That the permanent annual appropriation herein provided for shall take the place and be in lieu of all other permanent annual appropriations heretofore made to the State Historical Society of Iowa, and the same shall be paid in quarterly installments on the order of the board of curators of the said State Historical Society of Iowa, the first installment to be paid July 1, 1913; and when so amended the bill do pass.

JOSEPH MATTES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 196, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-seven-a-eighty-five (2727-a-85) of the Supplement to the Code of 1907, and to enact a substitute there-

for relating to the support of the State Sanatorium for the treatment of tuberculosis, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out section 2, publication clause; and when so amended the bill do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House File No. 552, a bill for an act authorizing and empowering the joint committee on Retrenchment and Reform to employ expert accountants and efficiency engineers, to institute reform, and making an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Senator Larrabee, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 194, a bill for an act making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Appropriations, with the recommendation that it be reported for passage.

FREDERIC LARRABEE,
Chairman.

Senator Larrabee moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 195, a bill for an act making an appropriation to enable

the state railroad commission to investigate and prepare cases affecting Iowa intrastate rates and services, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Appropriations, with the recommendation that it be reported for passage.

FREDERIC LARRABEE,
Chairman.

Senator Larrabee moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Railroads, to whom was referred House File No. 78, a bill for an act to amend the law as it appears in section twenty-one hundred and fifty-seven-s (2157-s) Supplement to the Code, 1907, relating to the transportation of live stock, beg leave to report they have had the same under consideration and recommend the same do pass.

FREDERIC LARRABEE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 282, a bill for an act to prohibit trespassing on railway tracks, rights-of-way, cars and engines, and providing a penalty for the violation thereof, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 282.

A BILL FOR AN ACT to Prohibit Trespassing on Railway Tracks, Rights-of-Way, Cars and Engines, and Providing a Penalty for the Violation Thereof.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That it shall be unlawful for any person to trespass by being upon, going upon or walking along, without right, any railroad track or right-of-way, within the yard limits of any railway company in any city or town, including cities acting under special charter.

Sec. 2. It shall be unlawful for any person not being a passenger or an employe, but a trespasser, to ride upon any railroad train, car or engine, or any part thereof, without right.

Sec. 3. Any person guilty of the violation of either of the preceding sections shall be punished by a fine of not less than ten dollars ($10.00) or more than one hundred dollars ($100.00) or by imprisonment in jail not exceeding thirty days, or both.

Sec. 4. This statute shall not be held to change the existing rules or laws relating to right of recovery on behalf of persons injured or killed while trespassing upon railway property, nor shall any adjudication of guilty or plea of guilty, under any criminal charge be in any manner whatever used or referred to by any railway company, upon the trial of any civil action for damages growing out of injury or death of any person while trespassing; and when so amended the bill do pass.

FREDERIC LARRABEE,
Chairman.

Substitute read first and second time.

Ordered passed on file.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 359, a bill for an act to amend section 1789 of the Code, 1897, relative to a change of the beneficiary, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 363, a bill for an act for the purpose of having a patent issued in the name of T. F. McCaffery for a certain tract of land, beg

leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 166, a bill for an act to amend section 4420 of the Code relating to applications for writs of habeas corpus, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 293, a bill for an act to legalize the incorporation of Humboldt State Bank, Humboldt, Iowa, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By adding to section 1 the following: Nothing in this act shall affect pending litigation; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 353, a bill for an act providing for the record title of lands granted to the Dubuque and Pacific Railroad Company, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 95, a bill for an act to legalize the incorporation of the town of Sharpsburg, Taylor county, Iowa, the election of its officers, the passage and record of all valid ordinances and resolutions, and all acts done that were in compliance with the law by the council of said town, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

INCORPORATION OF THE TOWN OF SHARPSBURG.

An Act to Legalize the Incorporation of the Town of Sharpsburg, Taylor County, Iowa, the Election of Its Officers, the Passage and Record of All Valid Ordinances and Resolutions, and All Acts Done That Were in Compliance with Law by the Council of Said Town.

WHEREAS: Doubts have arisen as to the legality of the incorporation of the town of Sharpsburg, Taylor county, Iowa, the election of its officers, the passage of its ordinances and resolutions, the signing of the same by the mayor and the record thereof;

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That the incorporation of the town of Sharpsburg, Taylor county, Iowa, and the election of its officers, are declared to be valid and binding the same as though the law in all respects had been strictly complied with in the incorporation of said town and election of said officers.

Sec. 2. That all ordinances, official acts and the record thereof, that are legal and valid in all other respects, other than that said town was not legally incorporated, are declared to be valid and binding the same as though the law in all respects had been strictly complied with in the incorporation of the said town, and all acts done by the officials of said town and the record thereof that might be void on account of failure to comply with the law in incorporating the said town, are declared legal and valid. But 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 Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa, without expense to the state; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 304, a bill for an act for the relief of the grantees of David E. Fry, and for the purpose of having patents issued in the names of W. F. Pomeroy and Arthur Dilley for certain tracts of land, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 325, a bill for an act to amend section 2930 of the Supplement to the Code, 1907, relating to the platting and transferring of real estate, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT to Repeal Section Two Thousand Nine Hundred Thirty (2930), Supplement to the Code, 1907, Relating to the Platting and Transferring of Real Estate.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That section two thousand nine hundred thirty (2930), Supplement to the Code, 1907, be and the same is hereby repealed and that the following is enacted in lieu thereof:

Whenever a deed of unconditional conveyance of real estate or transcript as provided in section four thousand two hundred fifty-nine (4259) is presented, the auditor shall enter in the index book, in alphabetical order, the name of the grantee, and opposite thereto the number of the page of the transfer book on which such transfer is made; and upon the transfer book he shall enter in the proper columns the name of the grantee, the grantor, date and character of the instrument, the description of the real estate, and the number or letter of the plat on which the same is marked; provided, however, no conveyances or plats of additions to any city or town or subdivisions of any part or parcels of lands lying within or adjacent to any city or town in which streets and alleys and other public grounds are sought to be dedicated to public use or other conveyances in which streets and alleys are sought to be conveyed to such city or town shall be so entered, unless such conveyances, plats or other

instruments have endorsed thereon the approval of the council of such city or town. The certificate of such approval to be made by the city clerk; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 391, a bill for an act to legalize the proceedings of the city council of the city of Tipton, Iowa, for the construction of a sewer system, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 250, a bill for an act to repeal sections two (2), six (6), seven (7), eight (8), eleven (11), fifteen (15), sixteen (16) and twenty-two (22) of chapter 72 of the acts of the Thirty-fourth General Assembly, and to enact substitutes therefor, relating to the registration and regulation of motor vehicles, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 354, a bill for an act to amend the law as it appears in section 3524 of the Code, relating to service of original notice by publication, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 323, a bill for an act to amend section 816 of the Code amendatory and additional to section 816 of the Code, relating to lien of tax, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 379, a bill for an act to repeal sections one (1) and two (2) of chapter 29, laws of the Thirty-fourth General Assembly, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Spaulding filed the following report of the Conference committee on House File No. 135:

MR. PRESIDENT—Your Conference committee, appointed to consider Senate substitute for House File No. 135, hereby report that they have had the same under consideration and have agreed upon the attached substitute for subdivisions one (1) and two (2) of section three (3) of Senate substitute for said House File No. 135 as found on page 401 of the Senate Journal.

H. W. SPAULDING,
J. F. WEBBER,
F. A. HEALD,
E. R. MITCHELL,
RALPH SHEBMAN,
WM. F. SITPE,
F. J. LUND.

CONFERENCE REPORT ON HOUSE FILE NO. 135.

Your Conference committee on the part of the Senate, named to consider House File No. 135, hereby reports as follows:

That they met with the committee appointed on the part of the House and have agreed upon the following substitute for subdivisions one (1) and two (2) of section three (3) of the Senate substitute for said bill, on page 401 of the Senate Journal.

"1. In cities having by the last preceding state or national census a population of less than 25,000, the mayor and councilmen shall receive as their annual salaries the amount to be fixed by ordinance, as follows:

"For the mayor, not to exceed the sum of one hundred fifty dollars ($150.00) per annum for each one thousand (1000) of population, or major portion thereof, in such city, and for each councilman in such city, not to exceed the sum of one hundred twenty dollars ($120.00) per annum for each one thousand (1000) population, or major portion thereof; provided, however, that in such city no mayor shall receive a salary greater than the sum of twenty-five hundred dollars ($2500.00) per annum, nor in such city shall a councilman receive as his annual salary an amount greater than two thousand dollars ($2000.00) per annum; and provided, further, that from and after the passage of this act, and during the first term of his office under the provisions of this act, the mayor and councilmen shall by ordinance fix their compensation as herein provided for their term of office.

"But thereafter the salary of any such officer shall not be increased or decreased during the term for which he shall have been elected or appointed."

That subdivisions three (3), four (4) and five (5) of the Senate substitute be re-numbered accordingly.

Passed on file.

Senator Farr moved that the consideration of Senate File No. 104 be postponed and that bill retain its place on the calendar.

Carried.

By unanimous consent Senator Wilson of Appanoose withdrew the motion filed by him on March 5th to reconsider the vote by which House File No. 1 passed the Senate.

THIRD READING OF BILLS.

On motion of Senator Balluff, Senate File No. 14, a bill for an act to amend chapter two hundred (200) of the acts of the Thirty-

third General Assembly relating to administration of the estates of absentees, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Balluff moved that the substitute for the original bill be adopted.

Adopted.

Senator Balluff 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 ayes were:

Allen, Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Ames, Boe, Dunnegan, Hagemann, Jewell, McManus, Perkins, Savage, Thomas—9.

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

On motion of Senator Balluff, Senate File No. 17, a bill for an act to repeal section five thousand ninety-seven (5097) of the code and to enact a substitute therefor defining magistrates and limiting the jurisdiction of certain of such magistrates, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Balluff moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Balluff moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—42.

The nays were:

None.

Absent or not voting:

Allen, Ames, Boe, Dunnegan, Jewell, Larrabee, Perkins, Wilson of Clinton—8.

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

On motion of Senator Gillette, Senate File No. 240, a bill for an act to legalize deeds and instruments of conveyance, tax deeds, sheriff's deeds, deeds of administrators, executors and guardians, and all other conveyances made and recorded prior to the first day of January, A. D. 1890, additional to chapter 6, title 14 of the code, relating to the conveyance of real estate, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gillette offered the following amendment and moved its adoption:

I move to strike out section 2, and substitute the following in lieu thereof:

Sec. 2. This act shall not affect the rights of the parties in any action or suit now pending in any court of this state, or instituted or commenced on or before the 1st day of September, 1913, nor be applied to or affect any conveyance that has heretofore been passed upon by any court of this state and determined insufficient or invalid.

Adopted.

Senator Gillette offered the following amendment and moved its adoption:

I move to amend Senate File No. 240 by inserting the word "adverse" between the words "open" and "possession", in the thirteenth line of section one thereof.

Adopted.

Senator Gillette 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 ayes were:

Allen, Arney, Balkema, Balluff, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

Ames, Boe, Cowles, Dunnegan, Farr, Hagemann, Jewell, Perkins —8.

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

On motion of Senator Chase, House File No. 155, a bill for an act amending sections three thousand one hundred forty-six (3146) and three thousand one hundred forty-seven (3147) of the code relating

to the time for making return of the solemnization of marriage, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Chase moved the adoption of the following amendments:

Amend section 1 by inserting the words "fifteen days" in lieu of the words "thirty days".

Amend section 2 by striking out the word "thirty" at the end thereof and substituting the word "fifteen"; and when so amended the bill do pass.

Adopted.

The bill was read for information.

Senator Chase moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balkema, Balluff, Chase, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

White—1.

Absent or not voting:

Allen, Ames, Boe, Clarkson, Dunnegan, Jewell, Perkins, Schrup —8.

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

On motion of Senator Sullivan, House File No. 200, a bill for an act to amend section one (1) of chapter 161 of the laws of the Thirty-third General Assembly relating to the foreclosure of real

estate mortgages, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan 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 ayes were:

Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

Allen, Ames, Boe, Crist, Dunnegan, Garrett, Jewell, Perkins—8.

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

On motion of Senator Jones, Senate File No. 204, a bill for an act to repeal the law as it appears in sections (2743), (2745), (2751), (2753), (2790), (2797), (2798), (2744), (2752), (2800), (2801), of the supplement to the code, 1907, and to enact substitutes therefor; and to amend the law as it appears in sections (2754), (2794), (2794-a), as amended by the acts of the Thirty-fourth General Assembly, relative to the units of school organization, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved the adoption of the following amendments:

Amend section three (3), by inserting in line two (2), thereof after the word "of" and before the word "the" the words "or after".

Amend section four (4) by striking out the parenthesis and the words contained therein in lines one (1) and two (2) and three (3).

Adopted.

Senator Ames offered the following amendment and moved its adoption:

Amend the bill by striking out section twelve (12).

Amendment lost.

Senator Francis offered the following amendment and moved its adoption:

I move to amend section 12 by striking out the period at the close and adding, "or corporation, taking into consideration the right to include territory in adjoining townships".

Adopted.

Senator Jones 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Cowles, Crist, Darrah, DeWolf, Farr, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas—34.

The nays were:

Crow, Doran, Fellows, Garrett, McManus, Schrup, Webber, Wilson of Appanoose, Wilson of Clinton—9.

Absent or not voting:

Clarkson, Dunnegan, Jewell, McColl, Perkins, Quigley, White—7.

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

On motion of Senator Spaulding, Senate File No. 175, a bill for an act repealing section twenty-three hundred forty-eight (2348) of the code, 1897, and enacting a substitute therefor, providing for a bounty on wild animals and the proof necessary to secure such bounty, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Spaulding moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Doran offered the following amendment and moved its adoption:

I move to strike out the words and figures "twenty" wherever they occur in the bill, and insert the words and figures "ten".

Lost.

Senator Schrup offered the following amendment and moved its adoption:

I move to amend by striking out the word "shall", in line three (3) of section one (1), and inserting the following in lieu thereof: "may be allowed by the board of supervisors of any county".

Senator Neal moved the previous question.

Carried.

Amendment by Senator Schrup lost.

Senator Spaulding moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crow, Darrah, Farr, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Malm-

berg, Mattes, McColl, McManus, Neal, Nye, Ream, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose —30.

The nays were:

Balluff, DeWolf, Doran, Fellows, Gillette, Hagemann, Larrabee, Legel, Robinson, Schrup, Sheean, Webber, Wilson of Clinton—13.

Absent or not voting:

Allen, Cowles, Crist, Dunnegan, Jewell, Perkins, Quigley—7.

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

On motion of Senator Kimball, Senate File No. 279, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-four (2724) of supplement to the code, 1907, and to enact a substitute therefor relating to admission to the school for the deaf and to reports by county superintendents of deaf persons, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball moved the adoption of the following amendments:

By striking out the word "twenty-five" which appears in the seventh and eighth lines of section one thereof, and inserting in lieu thereof the word "thirty-five"; also by striking out the word "twenty-five" in the seventeenth line of said section one, and inserting in lieu thereof the word "thirty-five"; also by adding after the word "county" in the seventeenth line of said section one the words "so far as he may ascertain".

Adopted.

Senator Kimball 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, Crist, Dunnegan, Hagemann, Jewell, McManus, Perkins, Quigley—10.

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

On request of Senator Larrabee, leave of absence was granted Senator Perkins for today.

Senator Darrah moved that as former Senator Daniel W. Turner was present, that he be invited to address the Senate.

Carried.

Senator Turner briefly addressed the Senate.

PETITIONS AND MEMORIALS.

Senator Crow presented a remonstrance of citizens of Boyer, Iowa, protesting against House File No. 262 and Senate File No. 131, regarding uniformity of text books.

Referred to committee on Schools.

Senator Neal presented a remonstrance of citizens of Washington county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Appanoose presented a remonstrance of citizens of Appanoose county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Mattes presented a remonstrance of citizens of Sac county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hagemann presented a remonstrance of citizens of Butler county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Kimball presented a remonstrance of citizens of Pottawattamie county opposing House File No. 262 and Senate File No. 131, relating to text books.

Referred to committee on Schools.

Senator Legel presented a petition of citizens of Floyd county urging passage of daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Spaulding presented a petition of Poweshiek county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Spaulding presented a petition of citizens of Poweshiek county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Doran presented a remonstrance of citizens of Story county opposing House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Arney presented a remonstrance of citizens of Marshall county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Gillette presented a remonstrance of citizens of Ida county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Heald presented a remonstrance of citizens of Linn county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hilsinger presented a remonstrance of citizens of Jackson county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Schrup presented a remonstrance of citizens of Dubuque county opposing House File No. 262 and Senate File No. 131, relating to text books.

Referred to committee on Schools.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing House File No. 262 and Senate File No. 131, relating to text books.

Referred to committee on Schools.

Senator Chase presented a petition of citizens of Hamilton county relative to good roads.

Referred to committee on Roads and Highways.

Senator Chase presented remonstrance of citizens of Hamilton county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Chase presented a remonstrance of citizens of Hamilton county protesting against the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Hilsinger presented a remonstrance of citizens of Jackson county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Kimball moved that 500 extra copies of Senate File No. 270 be printed.

Carried.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor of Van Buren, 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. 162, an act to legalize the special election held in the town of Calmar, Iowa, on the 16th day of October, 1911, wherein there was submitted to the voters of said town the question of issuing bonds in the sum of five thousand dollars ($5,000.00) for the purpose of erecting a system of gas works and to validate and legalize the bonds issued in pursuance of said election.

Also:

House File No. 235, an act to legalize certain warrants of the city of Bedford, Iowa.

W. W. ANDERSON,
Chairman House Committee.

JOHN H. TAYLOR,
Chairman Senate Committee.

Adopted.

Also:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House Joint Resolution No. 6, joint resolution proposing an amendment to the constitution of the state of Iowa by repealing section one (1) of article two (2) of said constitution, and the enactment and adoption of a substitute therefor, relating to the right of suffrage.

W. W. ANDERSON,
Chairman House Committee.

JOHN H. TAYLOR,
Chairman Senate Committee.

Report adopted.

INTRODUCTION OF BILLS.

By Senator Heald, Senate File No. 426, a bill for an act to repeal section three hundred thirteen (313) of the code and to enact a substitute therefor relating to the admission to the practice of law in this state of attorneys having been duly admitted to practice in other states.

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

By Senator Heald, Senate File No. 427, a bill for an act to amend section seven hundred fifty-one (751) of the code relating to streets and public grounds.

Read first and second time and referred to committee on Cities and Towns.

By Senator Francis, Senate File No. 428, a bill for an act to amend the law as it appears in section two thousand five hundred seventy-eight-b (2578-b) of the supplement to the code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses.

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

By Senator Francis, Senate File No. 429, a bill for an act to amend the law as it appears in section two thousand seven hundred ninety-four-a (2794-a) of the supplement to the code, 1907, as amended by chapter one hundred forty-three (143) of the acts of the Thirty-fourth (34th) General Assembly relating to the organization of consolidated school districts.

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

By Senator Francis, Senate File No. 430, a bill for an act requiring payment of a bounty upon crows.

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

By Senator Francis, Senate File No. 431, a bill for an act to repeal the law as it appears in section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1907, and to enact a substitute therefor in regard to bringing into certain state institutions and other places where inmates may lawfully be, drugs or liquors, or weapons, explosives or other article for use in making or attempting an escape.

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

Senator Chase submitted the following communication which was read:

ORDER OF RAILWAY CONDUCTORS, DIVISION NO. 34.

Boone, Iowa, March 9, 1913.

Gentlemen:—At the last regular meeting of February 25, 1913, of division No. 34, Order of Railway Conductors of Boone, Iowa, representing sixty-one members, it was voted that the secretary write you asking your support to what is known as the full crew bill now up before our legislature at Des Moines. This bill means much to us and anything you can do in favor of pushing it through will be greatly appreciated by this lodge.

Thanking you in advance, we are yours truly, members of division 34, O. R. C., Boone, Iowa.

J. V. EPPEL,
Sec. Div. No. 34.

Senator L. W. Boe
Senator A. M. Garrett
Senator T. J. B. Robinson
Senator S. W. DeWolf
Senator J. T. Clarkson
Senator D. C. Chase.

Senator Sullivan moved that the Senate do now adjourn until 1 o'clock P. M., today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1 o'clock P. M., President Harding presiding.

Journal of yesterday, March 11th, was taken up, corrected and approved.

PETITIONS AND MEMORIALS.

Senator Webber presented a remonstrance of citizens of Batavia, Iowa, opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Webber presented a remonstrance of citizens of Eddyville and Ottumwa opposing a permanent tax commission.

Referred to committee on Ways and Means.

THIRD READING OF BILLS.

On motion of Senator Farr, Senate File No. 275, a bill for an act to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Farr 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 ayes were:

Arney, Balluff, Boe, Clarkson, Cowles, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Ream, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balkema, Chase, Crist, Crow, DeWolf, Dunnegan, Jewell, Legel, McManus, Perkins, Quigley, Robinson, Taylor, White—16.

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

On motion of Senator Arney, Senate File No. 119, a bill for an act to require foreign corporations owning, controlling, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant or street railway located within the state of Iowa, or the business of such works, plants or railways or owning or controlling stock in any corporation owning, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant or street railway located within the state of Iowa or the business of such plants or railways to comply with the laws governing the issuance of capital stock of domestic corporations and the making of reports by domestic corporations and to require said foreign corporations to obtain a permit to transact business within the state of Iowa, and conferring upon courts of equity jurisdiction to dissolve and terminate corporations, works, plants, or businesses violating this act and providing penalties for violations of this act, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Arney moved the adoption of the following amendments:

1. Amend the title by inserting in line three (3) of the printed title between the words "plant" and "or" the following: ", water works, interurban".

2. Amend the title by inserting in line eight (8) of the printed title between the words "plant" and "or" the following: ", water works, interurban".

3. Strike from line eight (8) of the printed title the words "In whole or in part."

4. Amend section 1 of the printed bill by inserting between the words "plant" and "or" in line six (6) thereof the following: "water works, interurban."

5. Amend section one (1) of the printed bill by inserting between the words "business' and "or" in line eight (8) thereof the following: "water works, interurban."

6. Amend section one (1) of the printed bill by inserting between the words "plant" and "or" in line 11 thereof the words ", water works, interurban."

7. Amend section one (1) of the printed bill by inserting after the word "plants" at the end of line 12 thereof the following: ", interurban."

8. Amend section one (1) of the printed bill by inserting between the words "plant" and "or" in line 13 thereof the following: ", interurban."

9. Amend section one (1) of the printed bill by inserting between the words "plants" and "street" in line 15 thereof the words. "interurban or."

10. Amend section one (1) of the printed bill by inserting between the words "plants" and "or" in line 17 thereof the following: ", interurban."

11. Amend section two (2) of the printed bill by inserting between the words "plant" and "or" in the sixth line thereof the following: ", water works, interurban."

12. Amend the bill by substituting for section 5 thereof the following.

"Sec. 5. Courts of equity shall have full power to dissolve, close up or dispose of any business or property owned, operated or controlled in violation of the provisions of this act; to dissolve any corporation owning or controlling the capital stock of any other corporation in violation of the provisions of this act and to close up or dispose of the business or property of said corporation; and if the court finds that, in order to carry out the purposes of this act, it is necessary so to do, it may dissolve the corporation issuing the stock which is owned in violation of the provisions of this act, close up the business of said corporation and dispose of its property, and the court may also appoint a receiver who shall be a resident of Iowa for any business or for any corporation which has violated the provisions of this act or of the corporation issuing the stock which is held in violation of this act. Any action to enforce the provisions of this act may be instituted by the attorney general in the name of the state of Iowa or by a citizen in the name of the state of Iowa at his own proper cost and expense, reserving, however, to the stockholder owning capital stock not held in violation of this act all rights possessed by them."

Adopted.

Senator Arney asked unanimous consent to correct the enacting clause by inserting the words "the state of" between the words "of" and "Iowa".

Unanimous consent granted, and the enacting clause so amended.

The bill was read for information.

Senator Arney moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spauding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balluff, Crist, DeWolf, Dunnegan, Hilsinger, Jewell, McManus, Perkins, White—11.

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

On motion of Senator Mattes, House File No. 552, a bill for an act authorizing and empowering the joint committee on Retrenchment and Reform to employ expert accountants and efficiency engineers, to institute reform, and making 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 Mattes moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Balkema, Boe, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Balluff, Crist, DeWolf, Dunnegan, Hilsinger, Jewell, McManus, Perkins, White—12.

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

On motion of Senator Francis, House File No. 66, a bill for an act to amend the law as it appears in sections 1989-a-19, 1989-a-26, 1989-a-27, and 1989-a-38, of the supplement to the code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-fourth General Assembly, and chapter 120 of the acts of the Thirty-third General Assembly, relating to assessments for benefits to roads, streets, and highways in levee or drainage districts, to interest thereon, and to issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Francis offered the following amendment and moved its adoption:

Amend by striking out the catch words in sections 1, 2, 3, 4, 5 and 6.

Carried.

The bill was read for information.

Senator Francis moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hage-

mann, Heald, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balluff, Crist, Dunnegan, Hilsinger, Jewell, Jones, McManus, Perkins, Thomas—11.

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

On motion of Senator Doran, Senate File No. 224, a bill for an act to amend section thirty-three (33), chapter seventy-two (72) acts of the Thirty-fourth (34th) General Assembly, relating to the distribution of the fees derived from the registration of motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran 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 ayes were:

Allen, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Farr, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

DeWolf, Francis, Savage, Taylor—4.

Absent or not voting:

Ames, Balluff, Crist, Dunnegan, Heald, Jewell, Jones, Perkins, Schrup, Smith—10.

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

On motion of Senator Sullivan, Senate File No. 277, a bill for an act to authorize the use and expenditures of the sinking fund provided for in chapter five (5) of the code of 1897, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan offered the following amendments and moved their adoption:

I move to amend section 1 of Senate File No. 277 by inserting after the figure "5" in the second line thereof the following, "Title V."

Strike out the figures "1907" in line six of section 1 where it now appears, and insert the same after the word "code" in the same line.

Adopted.

The bill as amended was read for information.

Senator Sullivan moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—44.

The nays were:

None.

Absent or not voting:

Ames, Dunnegan, Jewell, Jones, Perkins, Schrup—6.

Senator Sullivan offered the following amendment to the title and moved its adoption:

Amend the title to read: A bill for an act to authorize the use and expenditure of the sinking fund provided for in chapter five (5) of title V 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.

On motion of Senator Webber, House File No. 384, a bill for an act to amend the law as it appears in section six hundred thirty-nine (639) of the code relating to the classes of cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Webber 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Kimball, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

Larrabee, Quigley—2.

Absent or not voting:

Ames, Cowles, Crist, Dunnegan, Jewell, Jones, Perkins, Schrup —8.

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

On motion of Senator Farr, Senate File No. 103, a bill for an act to amend the law as it appears in section one (1), chapter thirty-seven (37) of the laws of the Thirty-fourth (34th) General Assembly of Iowa relating to smoke nuisances in certain cities, was taken up and considered.

Senator Farr moved that the Senate concur in the following House amendments:

Strike out the parenthesis near the end of line four of the title and all words, figures and parenthesis following and insert in lieu thereof the following: "and repealing chapter thirty-seven (37) of the laws of the Thirty-fourth General Assembly."

Section 1. The emission of dense smoke within the corporate limits of the cities of the state, including cities acting under commission form of government, now or hereafter having a population of thirty thousand or over and in cities acting under special charter now or hereafter having a population of sixteen thousand or over, is hereby declared a nuisance.

Strike out section 4, the publication clause.

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Ames, Crist, Dunnegan, Francis, Hagemann, Jewell, Jones, Perkins, Smith, Taylor—10.

So the House amendments having received a constitutional majority were declared concurred in.

Senator Quigley moved that House File No. 50 be referred to committee on Judiciary.

Carried.

Senator Allen moved that the Senate do now adjourn until 9:30 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 13, 1913.

Senate met in regular session at 9:30 o'clock A. M., President Pro Tem Savage presiding.

Prayer was offered by Rev. C. W. Cleveland, Elwood, Iowa.

PETITIONS AND MEMORIALS.

Senator Neal presented a remonstrance of citizens of Dutch Creek township, Washington, Iowa, protesting against House File No. 344.

Referred to committee on Schools.

Senator Chase presented a remonstrance of mayor and councilmen of Galt, Iowa, protesting against the passage of Senate File No. 306.

Referred to committee on Public Utilities.

Senator McManus presented a remonstrance of citizens of Lee county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Legel presented a petition of citizens of Floyd county favoring the passage of the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Fellows presented a remonstrance of citizens of Allamakee county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balluff presented a remonstrance of citizens of Scott county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator McColl presented a remonstrance of citizens of Dallas county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Ream presented a remonstrance of citizens of Mahaska county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Nye presented a petition of citizens of Gravity, Iowa, favoring House File No. 484, relating to passenger service on railroads.

Referred to committee on Railroads.

Senator Wilson of Clinton presented a remonstrance of citizens of Clinton county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a remonstrance of citizens of Story county opposing the school book lobby bill.

Referred to committee on Schools.

Senator Perkins presented a remonstrance of citizens of Delaware county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Perkins presented a remonstrance by the city council of Independence, and the citizens of Aurora, Iowa, opposing Senate File No. 306 regarding public utilities.

Referred to committee on Public Utilities.

Senator Schrup presented a remonstrance of citizens of Dubuque county opposing passage of House File No. 262 and Senate File No. 131, relating to text books.

Referred to committee on Schools.

Senator Sheean presented a remonstrance of citizens of Jones county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a remonstrance of citizens of Schleswig and Kiron protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a remonstrance of citizens of Chariton protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Sheean presented a remonstrance of citizens of Massillon protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Fellows presented a remonstrance of citizens of Allamakee county opposing House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Thomas presented a remonstrance of citizens of Afton protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a remonstrance of citizens of Schleswig and Denison protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Sheean presented a remonstrance of directors and officers opposing House File No. 130.

Referred to committee on Schools.

Senator Heald presented a remonstrance of citizens of Linn county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Gillette presented a remonstrance of city council of Ida Grove opposing public utility bill.

Referred to committee on Public Utilities.

Senator Farr presented a remonstrance of citizens of the town of Anthon, Woodbury county, opposing passage of Senate File No. 306.

Referred to committee on Public Utilities.

INTRODUCTION OF BILLS.

By Senator Larrabee, Senate File No. 432, a bill for an act to amend section two thousand seventy-one (2071) supplement to the code, 1907, relating to the liability of corporations operating a railway, for negligence or wrongs to employes, as amended by chapter one hundred twenty-four (124) acts of the Thirty-third General Assembly.

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

By Senator Malmberg, Senate File No. 433, a bill for an act declaring telegraph companies and telephone companies to be common carriers and subject to the laws governing common carriers so far as applicable and placing telegraph and telephone companies operating within this state under the supervision of the railroad commissioners and giving to such railroad commissioners power and authority to inquire into unjust discrimination, neglect or violation of the laws governing common carriers and to compel such telegraph or telephone companies to make direct connection at points where competing companies have offices or terminals. (Additional to chapter eight (8) of title ten (10) of the code.)

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

By Senator Allen, Senate Joint Resolution No. 10.

Joint Resolution Referring House Joint Resolution Number Six (6), Relating to the Amendment Proposed to Section One (1) of Article Two (2) of the Constitution of the State of Iowa, to the Thirty-sixth General Assembly.

WHEREAS: House joint resolution number six (6) proposing an amendment to section one (1) of article two (2) of the constitution of Iowa has been duly adopted by both houses of the Thirty-fifth General Assembly of Iowa; now, therefore,

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

Section 1. That said House joint resolution number six (6) be and the same is hereby referred to the Thirty-sixth General Assembly of Iowa.

Read first and second time and by unanimous consent taken up for consideration.

THIRD READING OF BILLS.

Senate Joint Resolution No. 10, a bill for an act referring House Joint Resolution No. six (6), relating to the amendment proposed to section one (1) of article two (2) of the constitution of the state of Iowa, to the Thirty-sixth General Assembly, was taken up and considered.

Senator Allen moved that the rule by which no bill can be read the second and third times the same day be suspended.

Carried.

The joint resolution was read for information.

Senator Allen moved that the rules be suspended, the joint resolution be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

Joint Resolution Referring House Joint Resolution Number Six (6), Relating to the Amendment Proposed to Section One (1) of Article Two (2) of the Constitution of the State of Iowa, to the Thirty-sixth General Assembly.

WHEREAS: House joint resolution number six (6) proposing an amendment to section one (1) of article two (2) of the constitution of Iowa has been duly adopted by both houses of the Thirty-fifth General Assembly of Iowa; now, therefore,

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

Section 1. That said House joint resolution number six (6) be and the same is hereby referred to the Thirty-sixth General Assembly of Iowa.

On the question, "Shall the joint resolution pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Crow, Darrah, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Legel, Mattes, McColl, Neal, Ream, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose—29.

The nays were:

Doran, White—2

Absent or not voting:

Balluff, Clarkson, Cowles, Crist, DeWolf, Dunnegan, Hagemann, Jewell, Kimball, Larrabee, Malmberg, McManus, Nye, Perkins, Quigley, Savage, Schrup, Sheean, Wilson of Clinton—19.

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

INTRODUCTION OF BILLS.

By Senator Thomas, by request, Senate File No. 434, a bill for an act to license civil engineers and surveyors to practice in the state of Iowa.

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

REPORTS OF COMMITTEE.

Senator Jones, 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. 34, a bill for an act to aid prisoners and indigent members of the families of male prisoners in the state penitentiary and reformatory, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 34.

A BILL FOR AN ACT to Provide for the Reward or Compensation of Prisoners and to Provide an Appropriation Therefor.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. The board of parole with the advice of the warden of any penal institution of this state under the jurisdiction of the board of control is hereby authorized to allow and pay any person sentenced to any penal institution as a punishment for crime an amount not exceeding the customary or standard rate of wages for the equivalent of like services performed by free labor, as hereinafter provided.

Sec. 2. The board of parole and warden shall receive from the clerk of the district court and other local officials a certified statement as to the amount of the costs incurred in the capture, conviction and commitment of any prisoner who performs services under the provisions of

this act, and a record thereof shall be entered in a book kept for that purpose. The clerk of the district court shall attach to or endorse upon each mittimus hereafter issued the amount of costs for which judgment has been rendered against the defendant named therein in the district or supreme court.

Sec. 3. The board of parole and warden are authorized to fix and determine the amount which each prisoner shall pay as maintenance, not to exceed, however, the total cost of maintenance of said prisoner.

Sec. 4. The board of parole and warden are also authorized to fix and determine what part or proportion of the total costs incurred by said prisoner by reason of the offense committed in the capture, conviction and commitment of said prisoner, shall be paid by said prisoner from his earnings under the provisions of this act, and in determining the amount of the costs required to be paid by any prisoner from such earnings, the board of parole and warden shall consider all of the circumstances of the case.

Sec. 5. Upon the discharge of any prisoner, the board of parole shall cause a certified statement to be made of the amount paid by said prisoner from his earnings on the costs incurred by him in his capture, conviction and commitment, and shall forward the same with a bank draft or check covering said amount to the clerk of the district court from which said prisoner was sentenced, and immediately upon receipt of the same, the clerk shall make a record of the same in the judgment docket and apply the same upon the payment of the judgment for the costs taxed against said prisoner.

Sec. 6. The board of parole and warden shall also ascertain whether or not the prisoner has a mother, wife and children, or others dependent upon him for support. If it is found that the prisoner has relatives dependent upon him for support, the board of parole may deduct an amount to be fixed by said board from the weekly or monthly earnings of said prisoner and forward the same to the person dependent upon said prisoner.

Sec. 7. The board of parole and warden shall prescribe the amount which each prisoner may expend in his own behalf and may also provide for the depositing of funds earned by said prisoner to the account of said prisoner in any bank in this state.

Sec. 8. The board of control and warden, as a means of discipline, may withhold all reward or compensation from any prinoser for any month in which his conduct is not good.

Sec. 9. The board of parole and warden may use a part of the proceeds received from the sale of products raised or grown or any manufactured article at the institution for the purposes of this act, and may allow any prisoner a part of his own earnings received from his work over and above the standard fixed by the board and warden when-

ever it is practical so to do, but said board and warden shall not permit any prisoner to work an undue length of time or under such circumstances as to impair the health of the prisoner.

Sec. 10. It is hereby made the duty of the board of control to cooperate with the board of parole in carrying out the provisions of this act and to furnish said board of parole any information possessed by said board of control upon request of the board of parole.

Sec. 11. For the purpose of carrying out the provisions of this act there is hereby appropriated the sum of fifteen thousand dollars ($15,000) annually to be expended under the direction of the board of parole and warden, the same to be paid from the state treasury upon warrants drawn by the auditor of state upon orders from the board of control.

Sec. 12. All acts and parts of acts in so far as they are in conflict with this act are hereby repealed.

Sec. 13. 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, after being referred to the committee on Appropriations.

F. F. JONES,
Chairman.

Substitute read first and second times.

Senator Jones moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred Senate File No. 281, a bill for an act to regulate the employment of prisoners at the penitentiary at Fort Madison and making an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same do pass, after first being referred to the committee on Appropriations.

F. F. JONES,
Chairman.

Senator Jones moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

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

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. 6, a bill for an act to amend section 2849 of the Supplement to the Code, 1907, relative to school laws.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 relative to cold storage and refrigerating warehouses, and defining the duties of state dairy and food commissioner in relation thereto.

A. C. GUSTAFSON,
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. 159, a bill for an act to prohibit marriages of persons committed to the industrial school and absent therefrom on parole, or without authority and to provide punishment for violation of the act.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 135, a bill for an act to amend section 3377 of the Code relating to election between the distributive share and occupancy of homestead by surviving spouse and setting off such distributive share.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate concurrent resolution requesting that the chairman of the board of railroad commissioners be requested to furnish the General Assembly with a statement of the functions of the commerce counsel as distinguished from those of the board of railroad commissioners.

A. C. GUSTAFSON,
Chief Clerk.

Senator Thomas moved that as former Senator Geo. S. Allen of Mt. Ayr was present that he be invited to address the Senate.

Carried.

Senator Allen then briefly addressed the Senate.

THIRD READING OF BILLS.

On motion of Senator Farr, Senate File No. 104, a bill for an act to amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850) supplement to the code, 1907, relating to the investment of funds by savings banks, was taken up and considered.

The amendment offered by Senator Francis on March 11th was adopted.

Senator Farr 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 ayes were:

Arney, Balkema, Balluff, Boe, Cowles, Crist, Darrah, DeWolf, Farr, Fellows, Francis, Hagemann, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg, McColl, Neal, Nye, Perkins, Ream, Robinson, Schrup, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Clinton—32.

The nays were:

Chase, Crow, Doran, Garrett, Larrabee, Mattes, Quigley, Spaulding, Wilson of Appanoose—9.

Absent or not voting:

Allen, Ames, Clarkson, Dunnegan, Gillette, Jewell, McManus, Savage, Sheean—9.

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

On motion of Senator Cowles, Senate File No. 235, a bill for an act to amend section one thousand one hundred eighty-seven (1187) of the code relative to sureties upon official bonds, was taken up and considered.

The motion filed by Senator Cowles on March 10th to reconsider the vote by which the bill failed to pass the Senate carried.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balluff, Cowles, Crist, DeWolf, Francis, Gillette, Hagemann, Heald, Hilsinger, Kimball, Legel, Malmberg, Mattes, McManus, Neal, Quigley, Robinson, Savage, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—28.

The nays were:

Ames, Balkema, Chase, Crow, Darrah, Doran, Fellows, Garrett, Jones, Larrabee, McColl, Nye, Ream, Schrup, Spaulding, White—16.

Absent or not voting:

Boe, Clarkson, Dunnegan, Farr, Jewell, Perkins—6.

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

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House concurrent resolution requesting the secretary of state to deliver to Representative William J. Greene of Clinton county, one copy each of Supplement to the Code, 1907, session laws of the Thirty-third General Assembly and annotations to the same, to replace the ones which have been lost.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the report of the Conference committee, the amendments proposed by committee and concurred in Senate substitute amendment to House File No. 135, a bill for an act to amend the law as it appears in chapter 64 of the acts of the Thirty-third General Assembly as amended by chapters 52, 54 and 55 of the acts of the Thirty-fourth General Assembly relating to the government of certain cities.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

House concurrent resolution.

WHEREAS: The Supplement to the Code of 1897 and the session laws of the Thirty-third General Assembly and annotations for the same issued to William J. Greene, representative from Clinton county, has been taken from his desk and cannot be found; therefore,

Be it resolved by the House, the Senate concurring, That the secretary of state be authorized to deliver to Mr. Greene one copy of the Supplement to the Code of 1907, and one copy of the session laws of the Thirty-third General Assembly and annotations for the same, to replace the ones which have been lost or stolen.

Senator Wilson of Clinton moved that the Senate concur in the House concurrent resolution.

Carried.

THIRD READING OF BILLS.

On motion of Senator DeWolf, Senate File No. 237, a bill for an act relating to fire insurance and prohibiting discrimination therein and rebate of the premium charged and providing a penalty therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Spaulding moved that further consideration be postponed and that the bill be made a special order for 10:30 Friday.

Carried.

On motion of Senator Perkins, Senate File No. 161, a bill for an act in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates; authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation for labor of patients, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Perkins moved that the substitute for the original bill be adopted.

Adopted.

Senator Perkins 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 ayes were:

Allen, Ames, Arney, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Balkema, DeWolf, Dunnegan, Garrett, Jewell, McManus, Ream, Savage, Webber, White—10.

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

On motion of Senator Ames, Senate File No. 136, a bill for an act to provide for the destruction of noxious weeds and other weeds upon lands, highways and other places; prescribing penalties for the violation thereof; assessing the costs and expenses of the destruction of the same to the lands and owners thereof; and providing funds with which to destroy the same, and repealing all of chapter ninety-six (96) of the acts of the Thirty-third General Assembly relating to weeds upon lands and highways, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Ames moved that the substitute for the original bill be adopted.

Adopted.

Senator Ames offered the following amendments and moved their adoption:

Amend section 1 by striking out the word "or" following the words "occupant" in line one, said section, and inserting a comma in lieu thereof and inserting after the word "person" in said line the following words: "company or corporation".

Amend section 3 by striking out the word "or" following the word "occupant" in line one of said section, and inserting after the word "person" in said line the following words: "company or corporation".

Adopted.

Senator Allen offered the following amendment and moved its adoption:

Add to section 1 after the period at the end of the same, the following: "Provided, however, that nothing herein shall be construed to require the owner, occupant, person, company or corporation in control of any land to cut the weeds in the highways adjacent to said land where such weeds cannot be cut with a mower, because of the rough condition of the ground".

Senator Sullivan moved the previous question.

Motion withdrawn.

Senator Sullivan moved the previous question on the pending amendment.

Carried.

On the adoption of the amendment offered by Senator Allen, a roll call was demanded.

The ayes were:

Allen, Doran, Garrett, Wilson of Clinton—4.

The nays were:

Ames, Arney, Balkema, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Farr, Fellows, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Appanoose—34.

Absent or not voting:

Balluff, Boe, Cowles, Dunnegan, Francis, Hagemann, Hilsinger, Jewell, McManus, Savage, Schrup, Thomas—12.

Lost.

Senator Francis offered the following amendment and moved its adoption:

I move to amend section three of the bill by adding thereto the following:

"Before making said assessment, ten days' notice shall be given such owner of the time and place of meeting of the trustees, council or commissioners, which notice shall also contain a statement of the work done and the expense thereof with costs, and shall be given in the same manner as originally given to owners as hereinbefore provided. At said time and place such owner may appear with the same rights given by law before boards of review upon increase in assessments."

Adopted.

Senator Quigley moved the previous question.

Carried.

Senator Ames 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, DeWolf, Farr, Francis, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose—32.

The nays were:

Allen, Darrah, Doran, Fellows, Hagemann, Hilsinger, Malmberg, Webber, Wilson of Clinton—9.

Absent or not voting:

Balluff, Cowles, Dunnegan, Garrett, Jewell, McManus, Savage, Schrup, Thomas—9.

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

Senator Legel moved that 500 additional copies of Senate File No. 191 be printed.

Carried.

Senator Smith moved that the Senate do now adjourn until 9 o'clock tomorrow.

Senator Sullivan moved to amend by making time of adjournment to 1 P. M., today.

Amendment was adopted.

Motion as amended carried.

Senate adjourned until 1 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1 o'clock P. M., President Pro Tem Savage presiding.

HOUSE MESSAGES CONSIDERED.

House File No. 49, a bill for an act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the state dairy and food commissioner in relation thereto.

Read first and second time and referred to committee on Food and Dairy.

House File No. 135, a bill for an act to amend the law as it appears in chapter sixty-four (64) acts of the Thirty-third General Assembly, relating to the government of certain cities.

Passed on file.

House File No. 6, a bill for an act to amend section twenty-eight hundred forty-nine (2849) of the supplement to the code, 1907, relative to school loans.

Passed on file.

Senate File No. 159, a bill for an act to prohibit marriages of persons committed to the industrial school and absent therefrom on parole or without authority and to provide punishment for violation of the act.

Passed on file.

Senate File No. 135, a bill for an act to amend section 3377 of the code, relating to the election between the distributive share

and occupancy of homestead by surviving spouse and setting off such distributive share.

Passed on file.

Concurrent resolution relative to board of railway commissioners.

Senate concurrent resolution relative to furnishing the general assembly with a statement of the functions of the commerce counsel.

Passed on file.

INTRODUCTION OF BILLS.

By Senator Sullivan, Senate File No. 435, a bill for an act authorizing the issue of flood protection bonds by cities of the first class and cities acting under the commission plan of government.

Read first and second time and referred to committee on Cities and Towns.

By Senator Sullivan, Senate File No. 436, a bill for an act granting additional powers to cities organized under the commission plan of government, and amending section one (1) of chapter sixty-seven (67), laws of the Thirty-third General Assembly.

Read first and second time and referred to committee on Cities and Towns.

By Senator Perkins, Senate File No. 437, a bill for an act to amend section five hundred ninety-nine (599) of the code relative to the incorporation of cities or towns.

Read first and second time and referred to committee on Cities and Towns.

By Senator Perkins, Senate File No. 438, a bill for an act to amend section twenty-four hundred three (2403) of the supplement to the code, 1907, relating to the sale or gift of intoxicating liquors.

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

By committee on Roads and Highways, Senate File No. 439, a bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township and other officers and employers with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund.

Read first and second time and passed on file.

PETITIONS AND MEMORIALS.

Senator Spaulding presented a remonstrance of citizens of Keota and Harper opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Webber presented a remonstrance of citizens of Wapello county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Mattes presented a petition of citizens of Wall Lake, Iowa, urging the passage of a road tax law.

Referred to committee on Roads and Highways.

REPORTS OF COMMITTEE.

Senator Darrah, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred substitute for Senate File No. 117, a bill for an act to amend section ten hundred eighty-seven-a-four (1087-a-4), Supplement to the Code, 1907, as amended by section one (1) of chapter fifty-eight (58) of the acts of the Thirty-fourth General Assembly in relation to the time of holding primary election, beg leave to report they have had the same under consideration and recommend that the following substitute be adopted:

SUBSTITUTE FOR SENATE FILE NO. 117 AND ALL AMENDMENTS AND SUBSTITUTES.

A BILL FOR AN ACT to Repeal Section One Thousand Eighty-seven-a-Four (1087-a-4), Supplement to the Code, 1907, as Amended by Chapter Fifty-eight (58) of the Acts of the Thirty-fourth (34th) General Assembly and to Enact a Substitute Therefor, and Amend Section One Thousand Eighty-seven-a-nineteen (1087-a-19) of the Supplement to the Code, 1907, as Enacted in Chapter Fifty-nine (59) of the Acts of the Thirty-fourth General Assembly, and Amend Section One Thousand Eighty-seven-a-twenty-two (1087-a-22) of the Supplement to the Code, 1907, as Amended by Chapter Sixty-nine (69) of the Acts of the Thirty-third General Assembly, and to Amend Section One Thousand Eighty-seven-a-twenty-five (1087-a-25) of the Supplement to the Code, 1907, as Amended by Chapter Sixty-nine of the Acts of the Thirty-third General Assembly, All Relating to the Holding of Primary Elections by Political Parties.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That section one thousand eighty-seven-a-four (1087-a-4) of the Supplement to the Code, 1907, as amended by chapter fifty-eight (58) of the acts of the Thirty-fourth General Assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

The primary election herein provided for shall consist of an election by all political parties and shall be held at the usual voting places of the several precincts on the second Monday in September, in the year nineteen hundred fourteen (1914), and biennially thereafter, for the nomination of candidates for such offices as are to be filled at the general election in November next ensuing (except candidates for the office of judge of the supreme, district and superior courts) for senator in the congress of the United States in the next year preceding the filling of that office by the General Assembly, and for the electors of the president and vice president of the United States, in the year in which a president and vice president are to be elected.

Sec. 2. That section one thousand eighty-seven-a-nineteen (1087-a-19) of the Supplement to the Code, 1907, as enacted in chapter fifty-nine (59) of the acts of the Thirty-fourth General Assembly, be and the same is hereby amended by striking from the sixth line of section one, of said chapter fifty-nine (59) of the acts of the Thirty-fourth General Assembly the word "June" and substituting therefor the word "September".

Sec. 3. That section one thousand eighty-seven-a-twenty-two (1087-a-22) of the Supplement to the Code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, be and the same is hereby amended by striking from said section the word "June" in the second line of said section and substituting therefor the word "September".

Sec. 4. That section one thousand eighty-seven-a-twenty-five (1087-a-25) of the Supplement to the Code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, be and the same is hereby amended by striking from said section fourteen (14) of chapter sixty-nine (69) of the acts of the Thirty-third General Assembly the word "fourth" and inserting in lieu thereof the word "second"; and when so amended the bill do pass.

JOHN H. DARRAH,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 107, a bill for an act to amend the law as it appears in section ten hundred seventy-six (1076) of the Code, relating to the registration of voters in cities, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

JOHN H. DARRAH,
Chairman.

Senator Darrah moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 130, a bill for an act to amend section ten hundred seventy-six (1076), Supplement to the Code, 1907, relating to registration of voters, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN H. DARRAH,
Chairman.

Senator Darrah moved report be adopted.

Adopted.

THIRD READING OF BILLS.

On motion of Senator Jones, Senate File No. 254, a bill for an act to repeal section six hundred ninety-one (691) of the code.

relating to the jurisdiction in actions for the violation of city ordinances and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball offered the following amendment and moved its adoption:

Also by adding the following as section 3:

Section 3. That section six hundred ninety-two (692) of the code be and the same is hereby amended by inserting after the word "ordinances" in the fifth (5th) line thereof the words "pending before a mayor or police court".

Lost.

Senator Kimball offered the following amendment and moved its adoption:

Amend by substituting for the title the following: A bill for an act to repeal section six hundred ninety-one (691) of the code and to enact a substitute therefor and to amend section six hundred ninety-two of the code, relating to the jurisdiction in actions for the violation of city or town ordinances.

Senator Jones moved that the bill be referred to the committee on Judiciary.

Carried.

On motion of Senator Ames Senate File No. 136, a bill for an act to provide for the destruction of noxious weeds and other weeds and brush upon lands, highways and other places, prescribing penalties for the violation thereof; assessing the costs and expenses of the destruction of the same to the lands and owners thereof; and providing funds with which to destroy the same, and repealing all of chapter ninety-six (96) of the acts of the Thirty-third General Assembly, relating to weeds and brush upon lands and highways, was taken up and considered.

Senator Ames moved that the vote by which Senate File No. 136 passed the Senate be reconsidered.

Carried.

Senator Ames moved that the vote by which Senate File No. 136 passed to its third reading be reconsidered.

Carried.

Senator Ames offered the following amendment and moved its adoption:

"I move to amend Senate File No. 136 by inserting after section nine and as section ten the following:

" 'Chapter ninety-six (96) of the acts of the Thirty-third General Assembly is hereby repealed.'

Number the present section ten as section eleven."

Adopted.

Senator Ames 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, DeWolf, Farr, Francis, Gillette, Jones, Kimball, Larrabee, Legel, Mattes, McColl, McManus, Neal, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spalding, Sullivan, Taylor, Wilson of Appanoose—31.

The nays were:

Darrah, Doran, Fellows, Hagemann, Malmberg, Webber, Wilson of Clinton—7.

Absent or not voting:

Allen, Balluff, Cowles, Dunnegan, Garrett, Heald, Hilsinger, Jewell, Nye, Schrup, Thomas, White—12.

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled substitute for Senate File No. 144, a bill for an act to amend sections two (2), three (3), five (5) and seven (7) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly, and adding new sections to the same relating to stallions and jacks.

Also:

Senate File No. 151, a bill for an act to amend the law relating to the compensation and duties of school treasurers as the same appears in section twenty-seven hundred eighty (2780) of the Code and section twenty-seven hundred sixty-eight (2768) of the Supplement to the Code, 1907.

JOHN H. TAYLOR,
Chairman.

Adopted.

Senator Ream introduced the following resolution:

WHEREAS: Mr. John Mitchell, an honored and distinguished citizen, who is now in this city, and his services in behalf of labor being such that it has brought to him and those whom he represents, great credit and placed them upon a higher plane; therefore,

Be it resolved, That we extend to Mr. Mitchell an invitation to deliver a short address in the Senate chamber at 10 A. M., Friday, March 14, 1913.

Unanimous consent was given for consideration of the resolution at this time.

Senator Ream moved the adoption of the resolution.

Adopted.

Senator Arney 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, 1913.

Senate met in regular session at 9:00 o'clock A. M., President Pro Tem Savage presiding.

Prayer was offered by Rev. M. E. Nethercut, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Gillette presented a petition of citizens of Cherokee, favoring the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Boe presented a remonstrance of citizens of Northwood, Leland, Osage and Riceville, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Nye presented a remonstrance of citizens of Corning and Mt. Etna, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Arney presented a remonstrance of citizens of Rhodes and Melbourne, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Mattes presented a remonstrance of citizens of Sac county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator McColl presented a remonstrance of citizens of Dallas county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Webber presented a remonstrance of citizens of Wapello county, opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Hagemann presented a remonstrance of citizens of Bremer and Butler counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crist presented a remonstrance of citizens of Clarke county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Webber presented a remonstrance of citizens of Wapello county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Larrabee presented a remonstrance of citizens of Webster county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Larrabee presented a remonstrance of citizens of Webster and Calhoun counties opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Boe presented a remonstrance of citizens of Northwood, Emmons and Lake Mills, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Taylor presented a remonstrance of citizens of Fairview school district, Bonaparte township, Van Buren county, protesting against House File No. 130.

Referred to committee on Schools.

Senator Taylor presented a remonstrance of citizens of Jefferson county and Van Buren county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Webber presented a petition of members of United Mine Workers of America, asking a law requiring boards of managers of Iowa institutions to purchase their fuel supplies of Iowa industries.

Referred to committee on Board of Control and its Institutions.

INTRODUCTION OF BILLS.

By Senator Balkema, Senate File no. 440, a bill for an act to amend the law as it appers in section four hundred forty-one (441) of the code, relating to the publication of proceedings of the board of supervisors in newspapers published in the county.

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

REPORT OF COMMITTEE.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 230, a bill for an act to appropriate money toward the expense of paving East Washington Street in the city of Mount Pleasant, Iowa, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out in the third line in section 1 the words "four thousand dollars" and substituting in lieu thereof the words "three thousand dollars", and in the same line in the same section substituting the figures "$3000" in place of "$4000"; and when so amended the bill do pass.

JOSEPH MATTES,
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. 110, a bill for an act to provide for the nomination of district judges in judicial districts composed wholly of one county and having a population of 75,000 or more at the primary election.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 5, a bill for an act providing for the non-partisan election of judges of the supreme, district and superior courts of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 192, a bill for an act additional to chapter 5, title 10 of the Code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same.

A. C. GUSTAFSON,
Chief Clerk.

REPORTS OF COMMITTEE.

Senator Sullivan, 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. 91, a bill for an act repealing section 694-a of the 1907 Supplement to the Code of Iowa, relating to the authority of cities and towns to appropriate money to pay for a membership in the League

of Iowa Municipalities, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 344, a bill for an act to amend section seven hundred ninety-three (793) of the Code, relative to street improvements and special assessments, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 397, a bill for an act to make section eight hundred seven (807) of the Code applicable to cities acting under special charter, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 456, a bill for an act authorizing cities and towns including those acting under special charter and cities under the commission form of government to adopt a building code and to provide

penalties for violation thereof, beg leave to report they have had the same under consideration and recommend the same referred to the committee on Judiciary.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Judiciary.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 249, a bill for an act to repeal section twenty-one (21), chapter seventy-two (LXXII), of the acts of the Thirty-fourth General Assembly, relating to the powers of local authorities to regulate the use of motor vehicles upon streets and highways, and enacting a substitute therefor, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

1. By striking from sections one (1) and two (2) the catchwords.

2. By striking from line two (2) of section one (1) the figures "1911".

3. By striking from section two (2) in line fifteen (15) the figures "1911".

4. By inserting in line ten (10) of section two (2) the words and figures "five thousand (5,000)" in lieu of the figures "20,000"; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 255, a bill for an act to amend section 887 of chapter II of title V of the Code, relating to the levy of a tax by a city or town for the purpose of defraying its general and incidental expenses and fixing the limit thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 398, a bill for an act amending section nine hundred twenty-two (922) of the Supplement to the Code, 1907, relating to plats by auditor, providing that no such plats shall be made for real estate situated in cities acting under special charter, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 29, a bill for an act to provide for the installation of stop cocks and stop valves in pipes supplying gas to buildings by any firm, corporation or association supplying same, and authorizing city and town councils, including cities under special charter and those acting under commission form of government to prescribe the kind, character and location of same by ordinance, and providing a penalty for failure to comply with the provisions of this act, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

HOUSE MESSAGES CONSIDERED.

House File No. 110, a bill for an act to provide for the nomination of district judges in judicial districts composed wholly of one county and having a population of 75,000 or more, at the primary election.

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

House File No. 5, a bill for an act providing for the nonpartisan nomination and election of judges of the supreme, district and superior courts of Iowa.

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

Substitute for Senate File No. 192, a bill for an act additional to chapter five (5) title ten (10) of the code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same.

Passed on file.

Journal of March 13th was taken up, corrected and approved.

THIRD READING OF BILLS.

On motion of Senator Dunnegan, Senate File No. 349, a bill for an act to amend the law as it appears in section eight hundred twenty-five (825) of the code, relating to street improvements and sewers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dunnegan moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balluff, Boe, Chase, Crist, Darrah, DeWolf, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Heald, Legel, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Smith, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Clarkson, Cowles, Crow, Farr, Francis, Hilsinger, DeWolf, Jones, Kimball, Larrabee, Malmberg, Mattes, Ream, Savage, Sheean, Spaulding, Taylor—19.

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

On motion of Senator Balluff, Senate File No. 226, a bill for an act to repeal the law as it appears in sections twenty-six hundred ninety-one (2691) and twenty-six hundred ninety-two (2692) of the supplement to the code, 1907, and to enact a substitute therefor to provide for the support of the Iowa Soldiers' Orphans' Home, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Balluff moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balluff, Chase, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Jones, Larrabee, Legel, Mattes, McManus, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balkema, Boe, Clarkson, Crist, Francis, Hilsinger, Jewell, Kimball, Malmberg, McColl, Ream, Savage, Spaulding—15.

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

On motion of Senator Sullivan, Senate File No. 325, a bill for an act to amend section 2930 of the supplement to the code, 1907, relating to the platting and transferring of real estate, with report of commitee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Sullivan moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Crist, Crow, Darrah, DeWolf, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Mattes, McManus, Neal, Nye, Quigley, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Clinton—36.

The nays were:

Doran—1.

Absent or not voting:

Clarkson, Cowles, Dunnegan, Jewell, Kimball, Legel, Malmberg, McColl, Perkins, Ream, Savage, Spaulding, Wilson of Appanoose —13.

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

On motion of Senator Chase, Senate File No. 353, a bill for an act providing for the record title of lands granted to the Dubuque and Pacific Railroad Company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Chase 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, Dunnegan, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, McColl, Ream, Savage, Spaulding, White—15.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Concurrent resolution relative to holding a joint convention and extending an invitation to John J. Mitchell to address the same.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Nye, Senate File No. 95, a bill for an act to legalize the incorporation of the town of Sharpsburg, Taylor county, Iowa, the election of its officers, the passage and record of all valid ordinances and resolutions, and all acts done that

were in compliance with the law by the council of said town, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Nye moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Nye moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Balluff, Boe, Chase, Crist, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Ames, Arney, Balkema, Clarkson, Cowles, Dunnegan, Farr, Jewell, Kimball, Larrabee, Legel, McColl, Savage, Spaulding—14.

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

HOUSE MESSAGE CONSIDERED.

House concurrent resolution.

WHEREAS: Mr. John J. Mitchell, former president of the United Mine Workers of the United States, is now in the city of Des Moines; therefore.

Be it resolved by the House, the Senate concurring, That a joint convention of the two houses of the Thirty-fifth General Assembly be held today at 10:30 A. M.

Be it further resolved, That the said John J. Mitchell be invited to address said joint convention, and that the speaker of the House and the president of the Senate be authorized to appoint a committee of two members to deliver the invitation to the said John J. Mitchell.

By unanimous consent the resolution was taken up for consideration.

Senator Ream moved that the Senate concur in House concurrent resolution.

Carried.

The president announced as such committee on part of the Senate, Senator Ream.

REPORTS OF COMMITTEE.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 8, a bill for an act to prohibit marriage of white persons with those of African descent and prescribing a penalty for the violation thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 446, a bill for an act to enable the board of directors of the Independent District of Tama, Iowa, to compensate a member for services as superintendent of schools, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 388, a bill for an act to legalize certain decrees of courts

entering in actions to annul marriages in which service of the original notice was made by publication, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 25, a bill for an act in relation to assessments for benefits to roads, streets and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued, being amendatory to the law as it appears in sections 1989-a-19, 1989-a-26, 1989-a-27 and 1989-a-38 of the Supplement to the Code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-fourth General Assembly, and chapter 120 of the acts of the Thirty-third General Assembly, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 302, a bill for an act to repeal the law as it appears in sections 1948 and 1989-a-15 of the Supplement to the Code, 1907, and enact a substitute therefor relative to nuisances in construction of drainage districts, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 376, a bill for an act to legalize ordinances of the town of Ayrshire, Iowa, and authorizing the substitution of a new ordinance record in place of the original record, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 387, a bill for an act to legalize the proceedings of the city of Des Moines, Iowa, for the construction of the seventh ward sewer system in said city, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 300, a bill for an act legalizing releases and discharges of judgments, mortgages and deeds of trust made by administrators, executors or guardians appointed in other states or countries where the provisions of section 3308 of the Code were not observed or complied with, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By substituting the date January 1, 1903, for the date January 1, 1913; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 260, a bill for an act to amend section 2085 of the Code, 1907, relating to taxes in aid of railroads and in relation to the number of signatures of resident freeholders to petitions therefor in cities acting

under special charter and cities having a population of 25,000 or more, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 396, a bill for an act to amend section 254-a-19 of the Supplement to the Code, 1907, and relating to the powers of court over publication of proceedings or matters in juvenile cases, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 206, a bill for an act to legalize the ordinances of the town of New Market, Taylor county, Iowa, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking from lines 3 and 4 of page 2 the following:

"And as if the law in all respects had been fully complied with"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 238, a bill for an act to amend the law as it appears in section 639 of the Code, relating to the classes of cities and towns, beg

leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 328, a bill for an act to confirm the title of Anna L. Edgar to the west one-half of the southwest quarter of section 2, township 89, range 34 west of 5th P. M. Iowa, and authorizing the issuance of a patent therefor, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking from section 2 the catch words "pending litigation"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 355, a bill for an act to amend the law as it appears in section 4975-c, Supplement to the Code, 1907, relating to soliciting for the purpose of prostitution, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled substitute for

Senate File No. 144, a bill for an act to amend sections two (2), three (3), five (5) and seven (7) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly, and adding new sections to the same relating to stallions and jacks.

Also:

Senate File No. 151, a bill for an act to amend the law relating to the compensation and duties of school treasurers as the same appears in section twenty-seven hundred eighty (2780) of the Code and section twenty-seven hundred sixty-eight (2768) of the Supplement to the Code, 1907.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

THIRD READING OF BILLS.

On motion of Senator Smith, substitute for Senate File No. 117, a bill for an act to amend section ten hundred eighty-seven-a-four (1087-a-4), supplement to the code, 1907, as amended by section one (1) of chapter fifty-eight (58) of the acts of the Thirty-fourth General Assembly in relation to the time of holding primary election, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Smith moved that the substitute for the original bill recommended by the committee on Elections on March 13th, be adopted.

Adopted.

Senator Neal filed the following amendment:

I move to amend substitute for Senate File No. 117 by striking from line three, second paragraph, the words "second Monday in September" and insert in lieu thereof "the third Monday in August"; also, by striking from section 2, in the last line, the word "September" and in lieu thereof insert the word "August"; also, by striking from section 3, last line, the word "September" and in lieu thereof insert the word "August".

Further consideration of the bill was postponed.

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

Senate proceeded to the House under the direction of the sergeant-at-arms.

The joint convention was called to order by President Pro Tem Savage, president of the joint convention, at 10:40 o'clock A. M.

The roll was then called and the following members responded as present:

Allen, Anderson of Montgomery, Anderson of Greene, Ames, Arney, Atkinson, Balkema, Balluff, Barry, Bartle, Bauman, Bernbrock, Bingham, Black, Blackford, Bliss, Boe, Boettger, Bradley, Brady, Brockway, Brown, Bruce, Burt, Buxton, Cannon, Carson, Chapman, Chase, Clark, Clarkson, Cole, Cowles, Craig, Crist, Cronbaugh, Crow, Crozier, Cunningham, Daniels, Darrah, Dawson, DeWolf, Dixon, Doran, Downey, Doze, Dunlap, Dunnegan, Eggleston, Elwood, Enger, Erickson, Farr, Fellows, Fraley, Francis, Garrett, Gillette, Greene of Grundy, Greene of Clinton, Griffin, Griggs, Grout, Hadley, Hagemann, Halgrims, Halsted, Hamilton, Hansen, Hazen, Heald, Heaton, Helming, Hilsinger, Huff, Hunt, Huntley, Hutchins, Jacobs, Jacobson, Jamison, Jensen, Jones of Montgomery, Kane, Kelso, Kimball, Kingland, Klay, Kulp, Larrabee of Webster, Larrabee of Fayette, Legel, Lenocker, LeRoy, Lounsberry, Lund, Malmberg, Manning, Mattes, McColl, McCullough, McHose, McManus, McVicker, Meredith, Miller, Milton, Mitchell, Munro, Neal, Newcomb, Nye, Odendahl, Perkins, Peterson, Pickford, Power, Quigley, Ream, Ring, Robinson, Rone, Saltzmann, Savage, Scholz, Schrup, Scott, Shankland, Sheean, Sherman, Sidey, Smith, Stellsmith, Stipe, Stokes, Stutt, Sullivan, Taylor, Thomas, Thompson, Townsend, Trumbauer, Webb, Webber, White of Iowa, White of Benton, Whitney, Wilson of Appanoose, Wilson of Clinton, Workman—150.

Absent:

Elliott, Greene of Grundy, Jewell, Jones of Dickinson, Koontz, Rohwer, Spaulding—7.

The president then announced the joint convention duly organized with a quorum of members present, pursuant to the adoption of concurrent resolutions.

The joint convention then listened to addresses by John J. Mitchell, vice-president of the American Federation of Labor, and Hon. Jas. A. Wilson, retiring secretary of agriculture.

Senator Thomas of Union moved that the joint convention be dissolved.

Motion prevailed.

Senate returned to the Senate chamber and resumed its sitting.

INTRODUCTION OF BILLS.

By Senator Thomas, Senate File No. 441, a bill for an act to establish a minimum wage for female labor in certain lines of employment, and providing penalties for the violation thereof.

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

By committee on Ways and Means, Senate File No. 442, a bill for an act providing for the raising of revenue for state, county, town, cities and other subdivisions by taxation, and providing by whom and in what manner assessments, equalizations and levies shall be made, and repealing sections one thousand three hundred and seven (1307), one thousand three hundred and eight (1308), one thousand three hundred and nine (1309), one thousand three hundred and ten (1310), one thousand three hundred and eleven (1311), one thousand three hundred and twelve (1312), one thousand three hundred and thirteen (1313), one thousand three hundred and fourteen (1314), one thousand three hundred and fifteen (1315), one thousand three hundred and sixteen (1316), one thousand three hundred and seventeen (1317), one thousand three hundred and eighteen (1318), one thousand three hundred and nineteen (1319), one thousand three hundred and twenty (1320), one thousand three hundred and twenty-three (1323), one thousand three hundred and twenty-four (1324), one thousand three hundred and twenty-five (1325), one thousand three hundred and twenty-six (1326), one thousand three hundred and twenty-seven (1327), one thousand three hundred and thirty-two (1332), one thousand three hundred and thirty-five (1335), one thousand three hundred and thirty-six (1336), one thousand three hundred and thirty-eight (1338), one thousand three hundred and thirty-nine (1339), one thousand three hundred and forty-one (1341), one thousand three hundred and forty-two (1342), one thousand three

hundred and forty-three (1343), one thousand three hundred and forty-four (1344), one thousand three hundred and forty-five (1345), one thousand three hundred and forty-six (1346), one thousand three hundred and forty-seven (1347), one thousand three hundred and fifty (1350), one thousand three hundred and fifty-one (1351), one thousand three hundred and fifty-two (1352), one thousand three hundred fifty-three (1353), one thousand three hundred and fifty-four (1354), one thousand three hundred and fifty-five (1355), one thousand three hundred and fifty-six (1356), one thousand three hundred and fifty-seven (1357), one thousand three hundred and fifty-eight (1358), one thousand three hundred and fifty-nine (1359), one thousand three hundred and sixty-two (1362), one thousand three hundred and sixty-four (1364), one thousand three hundred and sixty-five (1365), one thousand three hundred and sixty-seven (1367), one thousand three hundred and sixty-eight (1368), one thousand three hundred and sixty-nine (1369), one thousand three hundred and seventy (1370), one thousand three hundred and seventy-five (1375), one thousand three hundred seventy-six (1376), one thousand three hundred and seventy-seven (1377), one thousand three hundred and seventy-nine (1379), one thousand three hundred and eighty-one (1381), one thousand three hundred and eighty-four (1384), one thousand three hundred and eighty-six (1386), one thousand three hundred and eighty-seven (1387), one thousand three hundred and eighty-eight (1388), of the code as the same are amended by the acts of the Thirty-third and Thirty-fourth General Assemblies, and sections one thousand three hundred and three (1303), one thousand three hundred and four (1304), one thousand three hundred and four-a (1304-a), one thousand three hundred and five (1305), one thousand three hundred and five-a (1305-a), one thousand three hundred and six-b (1306-b), one thousand three hundred and six-c (1306-c), one thousand three hundred and six-d (1306-d), one thousand three hundred and six-e (1306-e), one thousand three hundred and six-f (1306-f), one thousand three hundred and twenty-one (1321), one thousand three hundred and twenty-eight (1328), one thousand three hundred and twenty-nine (1329), one thousand three hundred and thirty (1330), one thousand three hundred and thirty-a (1330-a), one thousand three hundred thirty-b (1330-b), one thousand three hundred and thirty-c (1330-c), one thousand three hundred and thirty-d (1330-d), one thousand three hundred and thirty-e (1330-e), one thousand three hundred and

thirty-f (1330-f), one thousand three hundred and thirty-g (1330-g), one thousand three hundred and thirty-h (1330-h), one thousand three hundred and thirty-i (1330-i), one thousand three hundred and thirty-one-a (1331-a), one thousand three hundred and thirty-three (1333), one thousand three hundred and thirty-three-a (1333-a), one thousand three hundred and thirty-three-b (1333-b), one thousand three hundred and thirty-three-c (1333-c), one thousand three hundred and thirty-three-d (1333-d), one thousand three hundred and thirty-three-e (1333-e), one thousand three hundred and thirty-four (1334), one thousand three hundred and thirty-four-a (1334-a), one thousand three hundred and thirty-four-b (1334-b), one thousand three hundred and thirty-four-c (1334-c), one thousand three hundred and thirty-seven (1337), one thousand three hundred and thirty-seven-a (1337-a), one thousand three hundred and thirty-seven-b (1337-b), one thousand three hundred and forty (1340), one thousand three hundred and forty-a (1340-a), one thousand three hundred and forty-b (1340-b), one thousand three hundred and forty-c (1340-c), one thousand three hundred and forty-d (1340-d), one thousand three hundred and forty-e (1340-e), one thousand three hundred and forty-f (1340-f), one thousand three hundred and forty-two-a (1342-a), one thousand three hundred and forty-two-b (1342-b), one thousand three hundred forty-two-c (1342-c), one thousand three hundred and forty-two-d (1342-d), one thousand three hundred and forty-two-e (1342-e), one thousand three hundred and forty-two-f (1342-f), one thousand three hundred and forty-two-g (1342-g), one thousand three hundred and forty-six-a (1346-a), one thousand three hundred and forty-six-b (1346-b), one thousand three hundred and forty-six-c (1346-c), one thousand three hundred and forty-six-d (1346-d), one thousand three hundred and forty-six-e (1346-e), one thousand three hundred and forty-six-f (1346-f), one thousand three hundred and forty-six-g (1346-g), one thousand three hundred and forty-six-h (1346-h), one thousand three hundred and forty-six-i (1346-i), one thousand three hundred and forty-six-j (1346-j), one thousand three hundred and forty-seven-a (1347-a), one thousand three hundred and forty-eight (1348), one thousand three hundred and sixty (1360), one thousand three hundred and sixty-one (1361), one thousand three hundred and seventy-one (1371), one thousand three hundred and seventy-two (1372), one thousand three hundred and seventy-three (1373), one thousand three hundred and seventy-three-a (1373-a), one thousand three

hundred and seventy-eight (1378), one thousand three hundred and eighty-a (1380-a), one thousand three hundred and eighty-b (1380-b), one thousand three hundred and eighty-c (1380-c), one thousand three hundred and eighty-d (1380-d), one thousand three hundred and eighty-two (1382), one thousand three hundred and eighty-two-a (1382-a), one thousand three hundred and eighty-three (1383), one thousand three hundred and eighty-five-a (1385-a), one thousand three hundred and eighty-five-b (1385-b), one thousand three hundred and eighty-five-c (1385-c), one thousand four hundred-a (1400-a), one thousand four hundred-b (1400-b), one thousand four hundred-c (1400-c), one thousand four hundred-d (1400-d), one thousand four hundred-e (1400-e), one thousand four hundred-f (1400-f), one thousand four hundred-g (1400-g), one thousand four hundred-h (1400-h), one thousand four hundred-i (1400-i), one thousand four hundred-j (1400-j), one thousand four hundred-k (1400-k), one thousand four hundred-l (1400-l), one thousand four hundred-m (1400-m), one thousand four hundred-n (1400-n), one thousand four hundred-o (1400-o), one thousand four hundred-p (1400-p), of the supplement to the code, 1907, as the same are amended by the acts of the Thirty-third and Thirty-four General Assemblies, and repealing chapter eighty-seven (87) of the acts of the Thirty-third General Assembly, and chapter sixty-three (63) of the acts of the Thirty-fourth General Assembly, and amending all other acts and parts of acts inconsistent with the provisions of this act so as to conform with the provisions of this act.

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

Senator Chase submitted the following communication which was read and ordered printed in the Journal:

ORDER OF RAILWAY CONDUCTORS.

BELLE PLAINE DIVISION NO. 410.

"Phil S. Billings:

Division No. 410 of the Order of Railway Conductors, by a unanimous vote, repudiated the actions of any of our number in working against any proposed legislation.

Yours truly,

W. E. McClenanahan,
Sec. Div. 410."

Senator McColl introduced the following resolution:

WHEREAS: Many matters of great importance are pending before this Senate; and,

WHEREAS: The time when a session of the legislature usually adjourns is rapidly approaching; and,

WHEREAS: The people have demanded legislation with reference to the subjects hereinafter referred to; therefore,

Be it resolved, That the following named matters shall have precedence of consideration by the Senate, namely:

Appropriations.

Reform in administration of tax law.

Public utilities.

Extension of capitol grounds.

Industrial dispute act.

Roads.

Schools.

Workmen's compensation act.

Penitentiary and prison reform.

In such order, however, as may from time to time be determined by the Senate, such precedence, however, being only between the hours of ten o'clock A. M. and four o'clock P. M., when the Senate may be in session between said hours.

A. M. McCOLL.

Laid over under the rules.

Senator Jones moved that the Senate do now adjourn until 1:15 P. M., today.

Senator Ames moved to amend by making time of adjournment to 2:15 P. M., today.

Motion to amend prevailed.

Senator Francis moved to amend the motion to make time of adjournment to 1 o'clock P. M., today.

Senator Clarkson moved to amend the motion to amend by fixing time of adjournment to 2:14 P. M., today.

Motion lost.

Amendment by Senator Francis lost.

Senator Webber moved to amend time of adjournment to read 9:30 o'clock tomorrow.

Carried.

Motion as amended prevailed.

Senate adjourned until 9:30 A. M., tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 15, 1913.

Senate met in regular session at 9:30 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. John F. Arnold, Dallas Center, Iowa.

PETITIONS AND MEMORIALS.

Senator Neal presented a remonstrance of citizens of Washington county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a petition of the G. A. R. Post of Nevada favoring the removal of the Iowa soldiers' monument.

Referred to committee on Appropriations.

Senator Doran presented a remonstrance of citizens of Story county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Doran presented a remonstrance of citizens of Story and Boone counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Appanoose presented a remonstrance of citizens of Cincinnati, Pulaski and Centerville protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Boe presented a remonstrance of citizens of Plymouth, Lake Mills, Osage, Nora Springs and Scarville protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a remonstrance of citizens of Vail and Manilla protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Legel presented a petition of citizens of Nora Springs favoring the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator McManus presented a remonstrance of citizens of Lee county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Jones presented a remonstrance of citizens of Mills and Montgomery counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator White presented a remonstrance of citizens of Iowa county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Allen presented a remonstrance of citizens of Keystone, Newhall, Van Horne, Clutier and Tama protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Ames presented a petition of citizens of Benton county favoring committee substitute for Senate File No. 57.

Referred to committee on Judiciary.

Senator Ames presented a petition of citizens of Vinton urging passage of the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Ames presented a petition of teachers of Tama county favoring the state annuity fund bill.

Referred to committee on Schools.

Senator Garrett presented a remonstrance of citizens of Louisa county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a petition signed by the mayor and town council of Charter Oak, Iowa, opposing Senate File No. 306.

Referred to committee on Public Utilities.

Senator Crow presented a remonstrance of citizens of Crawford, Harrison and Monona counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a remonstrance of members of the Threshers' Association of Iowa opposing a state highway commission.

Referred to committee on Roads and Highways.

Senator Savage presented a remonstrance of citizens of Stuart protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Heald presented a remonstrance of citizens of Linn county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Garrett, Senate File No. 443, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-a-twenty-one (1989-a-21) of the supplement to the code, 1907, relating to the repair of levees, drains, ditches and water courses.

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

By Senator McManus, Senate File No. 444, a bill for an act to amend the law as it appears in section seven hundred and twenty-six (726) of the code of 1897.

Read first and second time and referred to committee on Cities and Towns.

By Senator Robinson, Senate File No. 445, a bill for an act to amend section one thousand nine hundred eighty-nine-a-eight (1989-a-8) of the supplement to the code, 1907, and all acts amendatory thereof, and section three (3) of chapter one hundred eighteen (118), acts of the Thirty-third General Assembly, relative to the publication of notice of establishment of levee or drainage districts and notice of letting of same.

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

Senator McManus introduced the following resolution and moved its adoption:

"*Resolved*, That the thanks of the Senate and House be extended to Hugh L. Cooper in appreciation of his able and instructive stereoptican lecture on the Keokuk dam."

Adopted.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House Joint Resolution No. 6, House File No. 162 and House File No. 235.

REPORTS OF COMMITTEES.

Senator McColl, from the committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your committee on Banks and Banking, to whom was referred Senate File No. 265, a bill for an act providing for the deposit by state and savings banks with the treasurer of the United States of securities to secure postal savings deposits made in such banks under the provisions of the postal savings bank act, beg leave to report they have had the same under consideration and recommend the same do pass.

A. M. MCCOLL,
Chairman.

Ordered passed on file.

Senator Neal, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate File No. 322, a bill for an act to promote patriotism and to provide for the display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

S. W. NEAL,
Chairman.

Senator Arney moved the bill be referred to committee on Educational Institutions.

Carried.

So the bill was referred to committee on Educational Institutions.

THIRD READING OF BILLS.

On motion of Senator Heald, Senate File No. 311, a bill for an act to amend the law as it appears in section forty-nine hundred ninety-nine-a-four (4999-a-4) of the supplement to the code, 1907, providing for the safety and comfort of laborers and other persons assembled in factories and buildings, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Heald offered the following amendment and moved its adoption:

I move to amend section one (1) of the bill by substituting for the period in the last line thereof a comma, and adding thereto the following words, "or provided with other adequate ventilators."

Adopted.

Senator Heald 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Jones, Larrabee, Legel, Malmberg, McManus, Neal, Nye, Perkins, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, Crow, DeWolf, Gillette, Hagemann, Hilsinger, Jewell, Kimball, Mattes, McColl, Quigley, Webber—14.

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

On motion of Senator Dunnegan, Senate File No. 319, a bill for an act to amend the law as it appears in section eight hundred twenty-three (823) supplement to the code, 1907, as amended by chapter forty-two (42) acts of the Thirty-fourth (34th) General Assembly, relative to street improvements and sewers, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Dunnegan moved the adoption of the following amendment:

By striking out the word and figure "five (5)" in the seventh line of section one (1) and inserting in lieu thereof the word and figures "ten (10)".

Adopted.

The bill was read for information.

Senator Dunnegan moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, Crow, DeWolf, Francis, Gillette, Hagemann, Hilsinger, Jewell, Mattes, Smith, Webber—13.

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

On motion of Senator Jones, Senate File No. 141, a bill for an act to repeal the law as it appears in section twenty-six hundred ninety-two-a (2692-a) of the supplement to the code, 1907, and to repeal section one (1) of chapter one hundred seventy-two (172) of the acts of the Thirty-third General Assembly relating to state agents, their salaries and supplies and to enact a substitute therefor and to amend section one (1) of chapter one hundred thirty-four (134) making an appropriation for the salaries and expenses of state agents, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved that the bill be amended by striking out the word "of" after the word "code" in line two (2) of section one (1) and before the figures "1907" and inserting a comma (,).

Adopted.

Senator Jones 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 ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Chase, Cowles, DeWolf, Francis, Gillette, Hagemann, Hilsinger, Jewell, Mattes, Webber—12.

Senator Jones offered the following amendment to the title and moved its adoption:

Amend the title by striking out the word "of" following the word "code" in the second line and inserting a comma after the word "code" and figures "1907".

Adopted.

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

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 151 and 144.

On motion of Senator Jones, Senate File No. 236, a bill for an act making additional appropriations to the State Historical Society of Iowa, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved that the substitute for the original bill be adopted.

Adopted.

Senator Jones 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crow, Darrah, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

Doran—1.

Absent or not voting:

Allen, Balluff, Cowles, Crist, DeWolf, Gillette, Hagemann, Hilsinger, Jewell, Perkins, Robinson, Thomas, Webber—13.

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

On motion of Senator McManus, Senate File No. 196, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-seven-a-eighty-five (2727-a-85) of the supplement to the code of 1907 and to enact a substitute therefor relating to the support of the state sanatorium for the treatment of tuberculosis, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator McManus moved the adoption of the following amendment:

By striking out section 2, publication clause.

Adopted.

The bill was read for information.

Senator McManus moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, DeWolf, Gillette, Hagemann, Hilsinger, Jewell, McColl, Smith, Webber—11.

Senator McManus offered the following amendment to the title and moved its adoption:

Amend the title by striking out the word "of" following the word "code" in the third line of title, and inserting a "comma" after the word "code" and figures '1907".

Adopted.

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

On motion of Senator Farr, Senate File No. 282, a bill for an act to prohibit trespassing on railway tracks, rights of way, cars and engines, and providing a penalty for the violation thereof, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Farr moved that the substitute for the original bill be adopted.

Adopted.

Senator Farr 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 ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Crist, Darrah, Dunnegan, Farr, Francis, Heald, Jones, Kimball, Larrabee, Mattes, McColl, McManus, Neal, Perkins, Quigley, Savage, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose—26.

The nays were:

Chase, Crow, Doran, Fellows, Garrett, Legel, Malmberg, Ream, Robinson, Sheean, Taylor, Wilson of Clinton—12.

Absent or not voting:

Allen, Balluff, Cowles, DeWolf, Gillette, Hagemann, Hilsinger, Jewell, Nye, Schrup, Smith, Webber—12.

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

Senator Clarkson filed the following motion:

I move to reconsider the vote by which Senate File No. 282 passed the Senate and passed to third reading.

JOHN W. CLARKSON.

On motion of Senator Kimball, Senate File No. 363, a bill for an act for the purpose of having a patent issued in the name of T. F. McCaffery for a certain tract of land, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl,

McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Balluff, Cowles, DeWolf, Gillette, Hagemann, Hilsinger, Jewell, Smith, Webber, White—10.

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

On motion of Senator Francis, Senate File No. 166, a bill for an act to amend section 4420 of the code relating to applications for writs of habeas corpus, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Francis 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 ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Crist, Darrah, Dunnegan, Fellows, Francis, Heald, Jones, Kimball, Larrabee, McManus, Neal, Nye, Perkins, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose—27.

The nays were:

Doran, Farr, Malmberg, Quigley—4.

Absent or not voting:

Allen, Balluff, Chase, Cowles, Crow, DeWolf, Garret, Gillette, Hagemann, Hilsinger, Jewell, Legel, Mattes, McColl, Ream, Savage, Schrup, Webber, Wilson of Clinton—19.

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

On motion of Senator Ream, Senate File No. 304, a bill for an act for the relief of the grantees of David E. Fry, and for the purpose of having patents issued in the name of W. F. Pomeroy and Arthur Dilley for certain tracts of land, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ream 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 ayes were:

Ames, Balkema, Chase, Clarkson, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Arney, Balluff, Boe, Cowles, Crist, Crow, DeWolf, Farr, Gillette, Hagemann, Jewell, Legel, Webber, White—15.

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

On motion of Senator Sullivan, Senate File No. 387, a bill for an act to legalize proceedings of the city of Des Moines, Iowa, for the construction of the seventh ward sewer system in said city, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, Crist, Crow, DeWolf, Farr, Gillette, Hagemann, Jewell, Kimball, Legel, Schrup, Webber—14.

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

REPORTS OF COMMITTEE.

Senator Savage, from the committee on Public Schools, submitted the following report:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 331, a bill for an act to amend section twenty-seven hundred ninety-two (2792) of the Code, relating to the restoration of territory of the school districts from which it has been taken, beg leave to report they have had the same under consideration and recommend the same be referred to the Judiciary committee.

A. C. SAVAGE,
Chairman.

Senator Savage moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Judiciary.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 92, a bill for an act authorizing the giving of annuities to disabled and retired public school teachers of all rural and urban public schools, creating a fund from which to pay such annuities and providing for the distribution thereof, creating a board of trustees to care for such annuity fund and prescribing their powers and duties, and authorizing the retiring from service of public school teachers under certain conditions, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT Authorizing the Giving of Annuities to Disabled and Retired Public School Teachers of All Rural and Urban Public Schools, Creating a Fund From Which to Pay Such Annuities and Providing for the Distribution Thereof, Creating a Board of Trustees to Care for Such Annuity Fund and Prescribing Their Powers and Duties, and Authorizing the Retiring from Service of Public School Teachers Under Certain Conditions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. The board of educational examiners shall be the board of trustees of the teachers' annuity fund herein created. They shall annually, at the proper time, certify to the state executive council the amount of tax, not exceeding two-tenths of a mill on the dollar, necessary to meet the requirements of the fund; and the state executive council shall levy such tax upon all the taxable property within the state at the time, and in the manner, of the levy of other state taxes. All moneys derived from taxes so levied and all moneys received as dues hereinafter provided and all moneys received from grants, donations, and devices for the benefit of such fund shall constitute a fund to be known and designated as the teachers' annuity fund, which said fund shall be under the control of the board of trustees, and shall be devoted exclusively to and for the purposes herein enumerated. The fund shall be a state fund, and shall be deposited with the treasurer of the state. The board of trustees shall upon the retirement of the annuitant certify to the auditor of state, the name of the teacher, the amount of the annuity and the amount said teacher has contributed to the teachers' annuity fund. The auditor of the state shall draw on the said fund, warrants payable to the annuitant for the amount certified as provided herein.

Sec. 2. The teachers' annuity fund shall be kept and preserved as a separate fund. The auditor of state with the advice and consent of the board of trustees created hereby shall invest any surplus left in the fund at the end of the fiscal year not necessary for immediate use in carrying out the provisions of this act, in interest bearing bonds of the United States, of the state of Iowa, or of any county, township or municipal corporation of the state of Iowa, or in mortgages on unincumbered real estate within this state. Said fund may be loaned by the county auditors on lands within the county where application for such loan is filed.

Each loan shall be made for at least one year and not more than ten years, evidenced by promissory notes bearing not less than five (5) per cent interest per annum payable annually. Delinquent interest or principal to draw interest at the rate of eight (8) per cent. The amount loaned to any one person or company shall not exceed five thousand ($5,000.00) dollars and in no case shall exceed fifty (50) per cent of the appraised value of the real estate, exclusive of improvements, by which such loan is secured. All applications to borrow from the teachers' annuity fund shall be made to the auditor of the county in which the land is situated with which it is proposed to secure such loan. The county auditor shall cause an abstract of title to be prepared and the lands to be appraised at the borrower's expense, by three disinterested freeholders of such county. The said appraisers shall be paid as compensation for their services the sum of two dollars and fifty cents ($2.50) per day and mileage. The county auditor shall be paid by the borrower the sum of three dollars ($3.00) for each loan made. The lands shall be appraised at their value in the market in the ordinary course of trade and the appraisers shall make return to the county auditor under oath. Such return shall show the value of the land without improvements, the kind of buildings thereon, and the value of any such buildings and the value of any other improvements upon such lands. Upon receipt of an application to borrow from such fund, the county auditor shall make requisition upon the auditor of state for the amount desired. The auditor of state, if there be sufficient funds available, shall so notify the county auditor and upon receipt of a proper application return of the appraisers, note and mortgage securing such loan, together with an abstract showing a good and perfect title to the lands to be vested in the proposed borrower as herein provided, issue his warrant upon such fund to the treasurer of state in favor of such borrower, provided, however, that no such warrant shall be issued except when the attorney general, after examination of the abstract of title, shall have found the borrower to have good and perfect title to the lands securing the proposed loan. Any officer, trustee or other person using or misappropriating any part of such funds, or any interest therefrom, shall be deemed guilty of felony and punished as in case of embezzlement of any other public funds, and any such person and any bond conditioned upon the faithful performance of the duties of any such person shall be liable for any such funds misappropriated with legal interest and costs.

The trustees created by this act shall cause to be prepared blank forms for application for loans, forms of bonds or notes with interest coupons attached, blanks for return of appraisers, mortgage and release blanks, also blank record books wherein the auditor and treasurer of state shall record all loans, which record shall show the name of the borrower and his post office address, a description of the real estate securing such loan, the date and amount of the loan, and the date when such loan becomes due, the rate of interest, the date when interest payments become due and the amount of such payments, and such other information as will give a full description of such loan.

Upon payment of any interest, the treasurer of state shall report such payment to the auditor of state, giving the name of the payee, number of the loan and coupon paid, and upon payment of any part of the principal of such loan, the treasurer of state shall issue a receipt for such payment and file a duplicate thereof with the auditor of state.

Whenever any such loan shall have been redeemed the treasurer of state shall certify to the auditor of state such payment, giving number of the loan redeemed and the name of the person making such redemption. Upon receipt of such certificate the auditor of state shall prepare a release of such loan, which release shall be signed by the auditor of state and countersigned by the treasurer of state and forwarded by mail to the party making such redemption with the auditor of state's warrant for the amount of the necessary recording fee.

Sec. 3. The board of trustees may take by gift, grant, device or bequest, any money or property, real or personal, or other thing of value for the benefit of the teachers' annuity fund, and such gift, grant, device or bequest, shall be invested and held as a permanent fund unless otherwise specified by the grantor, and the interest or income from such investment shall be added to the general annuity fund for the payment of annuities.

Sec. 4. There shall be deducted one per cent from the monthly salary of every teacher who may come within the provisions of this act, and who may be credited with not more than ten years' service, and two per cent from the monthly salary of all teachers of more than ten years' service, who may come within the provisions of this act, for the benefit of the annuity fund, and the sum of said deductions shall be forwarded monthly to the county treasurer, who shall on the 15th day of each month forward to the state treasurer all moneys belonging to said fund in his hands. The amount of said deductions shall be a part of every teacher's contract unless otherwise provided in this act and shall continue until retirement, or until a total sum of five hundred dollars ($500.00) shall have been contributed and the deductions shall then cease. There shall, however, be an additional sum paid by such teacher upon retirement equal to the difference in the amount already contributed and the amount of the annuity to be paid such teacher. This additional sum may either be paid in a lump sum or deducted from the first year's annuity. In determining the first ten years of service for which the one per cent deduction shall be made, the time served outside of the state shall be counted.

After the passage of this act every teacher employed in the public schools of this state during the school year of 1912-1913 upon renewing his or her contract shall be conclusively deemed to undertake and agree to have such assessments deducted from his or her salary, as provided herein, unless said teacher shall file with the board of trustees a written declaration of intention not to come within the provisions of this act. Upon the filing of such declaration the teacher may have until Septem-

ber 1, 1914, but not thereafter, the right to withdraw said declaration and accept the benefits provided herein. No teacher shall be discriminated against on account of refusal to come within the provisions of this act in renewing his or her contract.

Sec. 5. The required term of a service to entitle a teacher to share in the benefits of the annuity fund shall be twenty-five years, eighteen years of which service shall have been spent in the state of Iowa. The remaining seven years of the twenty-five may have been spent in the public schools of any other state. After the required twenty-five years of service no credit shall be allowed for time thereafter spent in other than the public schools of Iowa.

Sec. 6. In computing the time of service of a teacher the length of the school year in the district taught shall constitute a year, provided said term shall not be less than six months. In a calendar year beginning July 1st and ending June 30th, credit shall be allowed for one school year only. If a teacher teaches only a fractional part of a year, credit shall be given for such fractional part of a year as the time taught shall bear to the school year of such district.

Sec. 7. No period out of school work shall be counted in computing time of service unless such period was, or is, a leave of absence duly granted by the board of directors, and such leave of absence may consist of a whole year, or may consist of periods of leaves of absences but the total sum of such periods shall not exceed one full school year.

Sec. 8. The board of directors shall give to such teacher a certificate at the close of each school year certifying the time of service for that year and the amount contributed to the annuity fund as herein provided, and shall record the same in the records of the district, and such certificate shall be evidence of term of service and contribution to the annuity fund.

Sec. 9. Proof of term of service shall be the certificates given from year to year by the boards of directors as provided herein, or it may be established by an affidavit from the teacher and one from the superintendent of schools or a member of the board of directors of each district in which such teacher was regularly employed. In case the superintendent or the members of the school board are deceased, or cannot be reached, the term of service may be established by the affidavits of reputable persons who were residents of the districts at the time of the service and can testify from their personal knowledge, or by such other evidence as the board of trustees may consider conclusive.

Sec. 10. Upon the completion of twenty-five or more years of service as herein provided the teacher shall have the right to retire upon a life annuity equal to fifteen dollars ($15.00) for each year of accredited service, said sum to be paid in twelve equal monthly payments, but such annuity shall not in any case exceed the sum of six hundred dollars ($600.00). Any teacher who has taught not less than twenty years in the

state and has reached the age of sixty years, or any teacher who has taught not less than five years in the state and who has become permanently disabled, shall have the right to retire upon a life annuity of fifteen dollars ($15.00) per year for each year of service accredited, but in estimation such term of service time taught outside of the state shall not be counted.

Sec. 11. Any teacher who desires to retire as an annuitant, and who has complied with the provisions of the law, must make written application to the board of trustees, and must have been regularly employed in school work in the public schools of Iowa for a period of five of the seven years next preceding the date of such application. No teacher, however, who has the right to retire shall lose said right by being discharged from his or her position, and may make application and prove his or her rights. Any annuitant subsequently engaged in teaching for twenty (20) or more consecutive school days in any school year, shall forfeit his or her annuity for such time taught.

Sec. 12. Any teacher who resigns after three years of service without the intention of again teaching, may, upon written application to the board of trustees within six months after such resignation and presenting certificates of amount contributed to the annuity fund, be repaid one-half of the sum contributed and in case said teacher re-enters public school work he or she shall restore such fund together with four per cent simple interest in addition to the regular deduction from salary. In the event of the death of a teacher before retirement the entire amount of his or her contribution to the fund shall be paid to his or her estate.

Sec. 13. The word "teacher" as construed in this act shall mean all persons regularly engaged in teaching or administration in the public schools of any state, including city and county superintendents, assistant superintendents, supervisors, principals and teachers.

Sec. 14. No heirs, legatees, creditors or assignees shall be entitled to any part of the fund which shall be created as provided in this act, except as provided for in the death of a teacher, and such fund shall be exempt from garnishment or execution.

Sec. 15. The board of trustees is hereby authorized to retire teachers as provided herein, and to make such additional rules and regulations as may be necessary to carry out the purposes of this act. They are also authorized to employ such clerical assistance as may be necessary to discharge the duties created herein, the same to be paid as provided in section twenty-six hundred thirty-four-a (2634-a), Supplement to the Code, 1907; and when so amended the bill do pass.

A. C. SAVAGE,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 183, a bill for an act to amend section 2778, Supplement to the Code, 1907, providing for the employment of school superintendents, beg leave to report they have had the same under consideration and recommend the same do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 329, a bill for an act to establish a minimum wage for teachers in the public schools of the state,prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

In part two (2) of section one (1), remove the period after the word "certificate" in line four (4), and add the words "up to and including a general average grade of eighty-five (85) per cent"; and when so amended the bill do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 211, a bill for an act to prohibit dances in the public high and grade schools or under the auspices of such schools or any organization or society thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

On request of Senator Mattes, leave of absence was granted Senator Allen for the day.

On request of Senator Darrah, leave of absence was granted Senator Webber for the day.

On request of Senator Neal, leave of absence was granted Senator Hagemann for the day.

On request of Senator Perkins, leave of absence was granted Senator Cowles for the day.

On request of Senator Robinson, leave of absence was granted Senator Gillette for the day.

THIRD READING OF BILLS.

On motion of Senator Sheean, Senate File No. 391, a bill for an act to legalize the proceedings of the city council of the city of Tipton, Iowa, for the construction of a sewer system, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sheean 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Darrah, Doran, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, Crist, Crow, DeWolf, Dunnegan, Gillette, Hagemann, Jewell, Legel, Webber, White—13.

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

On motion of Senator Hilsinger, Senate File No. 250, a bill for an act to repeal sections two (2), six (6), seven (7), eight (8), eleven (11), fifteen (15), sixteen (16), and twenty-two (22) of chapter 72 of the acts of the Thirty-fourth General Assembly and

to enact substitutes therefor, relating to the registration and regulation of motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hilsinger moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

Garrett—1.

Absent or not voting:

Allen, Balkema, Balluff, Cowles, Crist, DeWolf, Gillette, Hagemann, Jewell, Legel, Perkins, Quigley, Savage, Thomas, Webber—15.

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

On motion of Senator Sullivan, Senate File No. 354, a bill for an act to amend the law as it appears in section 3534 of the code relating to service of original notice by publication, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan 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 ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Chase, Cowles, Crow, DeWolf, Garrett, Gillette, Hagemann, Jewell, Legel, Quigley, Savage, Webber—14.

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

On motion of Senator Clarkson, Senate File No. 130, a bill for an act to amend section ten hundred seventy-six (1076), supplement to the code, 1907, relating to registration of voters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clarkson moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Ream, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, DeWolf, Gillette, Hagemann, Jewell, Legel, Quigley, Spaulding, Taylor, Webber, White—13.

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

Senator Balkema moved that Senate File No. 439 be made a special order for Wednesday, March 19th, at 10:30 o'clock A. M.

Carried.

On motion of Senator Neal, Senate File No. 230, a bill for an act to appropriate money toward the expense of paving East Washington street in the city of Mount Pleasant, Iowa, with report of committee recommending amendments and passage, was takeu up, considered, and the report of the committee adopted.

Senator Neal moved the adoption of the following amendment:

By striking out in the third line in section 1 the words "four thousand dollars" and substituting in lieu thereof the words "three thousand dollars", and in the same line in the same section substituting the figures "$3,000" in place of "$4,000".

Adopted.

Senator Neal 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, Crist, Crow, DeWolf, Farr, Gillette, Hagemann, Jewell, Legel, Perkins, Savage, Spaulding, Webber—15.

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

On motion of Senator Sheean, House File No. 78, a bill for an act to amend the law as it appears in section twenty-one hundred and fifty-seven-s (2157-s), supplement to the code, 1907, relating to the transportation of live stock, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sheean 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Neal, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, DeWolf, Gillette, Hagemann, Jewell, Legel, McManus, Nye, Perkins, Smith, Spaulding, Webber—14.

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

On motion of Senator Ames, House File No. 446, a bill for an act enabling the board of directors of the independent school district of Tama, Ia., to compensate a member for services as superintendent of schools, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ames 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Kimball, Larrabee, Malmberg, Mattes, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not-voting:

Allen, Balluff, Cowles, DeWolf, Gillette, Hagemann, Jewell, Jones, Legel, McColl, McManus, Perkins, Spaulding, Sullivan, Webber—15.

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

On motion of Senator Nye, House File No. 206, a bill for an act to legalize the ordinances of the town of New Market, Taylor county, Iowa, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Nye moved the adoption of the following amendments:

By striking from lines 3 and 4 of page 2 the following: "And as if the law in all respect had been fully complied with".

Adopted.

Senator Nye 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 ayes were:

Ames, Balkema, Boe, Clarkson, Crist, Crow, Darrah, Doran, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Arney, Balluff, Chase, Cowles, DeWolf, Dunnegan, Farr, Gillette, Hagemann, Jewell, McColl, McManus, Spaulding, Webber —15.

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

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House File No. 416, a bill for an act to prohibit the extension or renewal of contracts now existing between the board of control and certain firms, associations or corporations for the services of prisoners confined at Anamosa and Fort Madison, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 132, a bill for an act to provide state aid to consolidated schools equipped with two or more rooms and making an appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 149, a bill for an act to amend the law as it appears in section 1056-a-9 of the Supplement to the Code, 1907, relating to municipal accounting of cities and towns.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 55, a bill for an act to amend section 1087-a-10 of the Supplement to the Code, 1907, as amended by chapter 69, acts of the Thirty-third General Assembly, and chapters 58 and 59, acts of the Thirty-fourth General Assembly, relating to nomination papers.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 54, a bill for an act providing for the sanitation of bakeries, canneries, packing houses, slaughter houses, etc., etc., providing for the licensing of persons, firms or corporations operating or conducting bakeries, candy factories, ice cream factories, etc., fixing such license fee and the duration of such license; defining food, regulating the wholesomeness of food manufactured, prepared, packed, etc., etc.; defining duties of the state food and dairy commissioner in relation thereto, providing penalties for the violation thereof, and repealing acts in conflict therewith.

A. C. GUSTAFSON,
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. 15, a joint resolution authorizing and directing the committee on Roads and Highways of the House of Representatives and the joint committee on Roads and Highways of the House of Representatives and Senate of the Thirty-fifth General Assembly to make an investigation into the methods and practices of bridge contractors and others furnishing bridge and road material in the state of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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, substitute for Senate File No. 144, a bill for an act to amend sections two (2), three (3), five (5), and seven (7) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly, and adding new sections to the same relating to stallions and jacks.

Also:

Senate File No. 151, a bill for an act to amend the law relating to the compensation and duties of school treasurers as the same appears in section twenty-seven hundred eighty (2780) of the Code and section twenty-seven hundred sixty-eight (2768) of the Supplement to the Code, 1907.

JOHN H. TAYLOR,
Chairman.

Passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Taylor of Van Buren, 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. 66, a bill for an act to amend the law as it appears in sections 1989-a-19, 1989-a-26, 1989-a-27, and 1989-a-38 of the Supplement to the Code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-fourth General Assembly, and chapter 120 of the acts of the Thirty-third General Assembly relating to assessments for benefits to roads, streets, and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued.

Also:

House File No. 155, a bill for an act amending sections three thousand one hundred forty-six (3146) and three thousand one hundred forty-seven (3147) of the Code, relative to the time for making return of solemnization of marriage.

Also:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House File No. 189, a bill for an act legalizing and curing the acts and proceedings of the incorporated town of Aurelia and the town council of the said incorporated town, in the county of Cherokee and state of Iowa, in relation to the establishment, erection, maintenance and operation of a system of water works and a gas plant and the issuance of bonds and warrants of said town in payment thereof, and authorizing the town council of said town to issue bonds for the purpose of taking up its floating indebtedness represented by its bonds and warrants.

Also:

House File No. 384, a bill for an act to amend the law as it appears in section six hundred thirty-nine (639) of the Code, relating to the classes of cities and towns.

Also:

House File No. 552, a bill for an act authorizing and empowering the joint committee on Retrenchment and Reform to employ expert accountants and efficiency engineers, to institute reform, and making an appropriation therefor.

Also:

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 sections ten hundred eighty-seven-a-ten (1087-a-10), ten hundred eighty-seven-a-twenty-two (1087-a-22), and ten hundred eighty-seven-a-twenty-seven (1087-a-27), of the Supplement to the Code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third (33d) General Assembly, section eleven hundred six (1106) of the Supplement to the Code, 1907, and sections eleven hundred fifty (1150), eleven hundred fifty-one (1151), eleven hundred fifty-seven (1157), and eleven hundred sixty-one (1161) of the Code, and repealing chapter one (1) of the acts of the special session of the Thirty-second (32d) General Assembly, and enacting a substitute therefor, all relating to the nomination of candidates for the office of senator in the congress of the United States and of the canvass of the vote for senator in the congress of the United States, and providing for nominations for such office in case of vacancy.

Also:

House File No. 6, a bill for an act to amend section twenty-eight hundred forty-nine (2849) of the Supplement to the Code, 1907, relative to school loans.

Also:

House File No. 200, a bill for an act to amend section one (1) of chapter one hundred sixty-one (161) of the laws of the Thirty-fourth General Assembly, relating to the foreclosure of real estate mortgages.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

INTRODUCTION OF BILLS.

By Senator Chase, Senate File No. 446, a bill for an act to amend section four (4) of chapter sixty-three (63), acts of the Thirty-fourth General Assembly.

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

By Senator Francis, Senate File No. 447, a bill for an act amending section two hundred and fifty-three (253) of the supplement to the code, 1907, relating to the salary of judges of the district court.

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

THIRD READING OF BILLS.

On motion of Senator Sullivan, Senate File No. 388, a bill for an act to legalize certain decrees of courts entering in actions to annul marriages in which service of the original notice was made by publication, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Larrabee, Malmberg, Mattes, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

Doran—1.

Absent or not voting:

Allen, Balluff, Cowles, Darrah, DeWolf, Gillette, Hagemann, Jewell, Kimball, Legel, McColl, McManus, Spaulding, Webber—14.

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

On motion of Senator Chase, Senate File No. 302, a bill for an act to repeal the law as it appears in sections 1948 of supplement to the code, 1907, and to repeal the law as it appears in section 1989-a-15 of the supplement to the code, 1907, and to enact a substitute therefor defining nuisances in construction of drainage ditches, and making the obstruction of such ditches and levees a misdemeanor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Chase 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Mattes, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, Crow, DeWolf, Farr, Gillette, Hagemann, Jewell, Legel, Malmberg, McColl, McManus, Spaulding, Webber—15.

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

On motion of Senator Francis, Senate File No. 376, a bill for an act to legalize ordinances of the town of Ayrshire, Iowa, and authorizing the substitution of a new ordinance record in place of the original record, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Francis 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Mattes, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, Crow, DeWolf, Gillette, Hagemann, Jewell, Legel, Malmberg, McColl, McManus, Perkins, Savage, Spaulding, Webber—16.

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

On motion of Senator Francis, Senate File No. 300, a bill for an act legalizing releases and discharges of judgments, mortgages and deeds of trust made by administrators, executors or guardians

appointed in other states or countries where the provisions of section 3308 of the code were not observed or complied with, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Francis moved the adoption of the following amendment:

By substituting the date, January 1st, 1903, for the date, January 1st, 1913.

Adopted.

Senator Francis 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, Crow, Darrah, DeWolf, Gillette, Hagemann, Jewell, Legel, McManus, Savage, Spaulding, Webber—14.

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

On motion of Senator Jones, Senate File No. 260, a bill for an act to amend section 2085 of the code, 1907, relating to taxes in aid of railroads and in relation to the number of signatures of resident freeholders to petitions therefor in cities acting under special charter and cities having a population of 25,000 or more, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Crist, Darrah, Doran, Farr, Fellows, Francis, Garrett, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Chase, Cowles, Crow, DeWolf, Dunnegan, Gillette, Hagemann, Heald, Jewell, Legel, McManus, Savage, Smith, Spaulding, Webber—17.

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

On motion of Senator Sullivan, Senate File No. 355, a bill for an act to amend the law as it appears in section 4975-c supplement to the code, 1907, relating to soliciting for the purpose of prostitution, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan 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 ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Chase, Cowles, Crow, DeWolf, Gillette, Hagemann, Heald, Jewell, Legel, McManus, Savage, Schrup, Spaulding, Webber —16.

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

On motion of Senator Doran, Senate File No. 328, a bill for an act to confirm the title of Anna L. Edgar to the west one-half of the southwest quarter of section 2, township 89, range 34, west of fifth P. M., Iowa, and authorizing the issuance of a patent therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Doran moved the adoption of the following amendment:

By striking from section 2 the catch words "pending litigation".

Adopted.

Senator Doran 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 ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Chase, Cowles, Crow, DeWolf, Gillette, Hagemann, Jewell, Legel, McManus, Savage, Spaulding, Webber—14.

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

On motion of Senator Heald, Senate File No. 249, a bill for an act to repeal section twenty-one (21), chapter seventy-two (LXXII), of the acts of the Thirty-fourth General Assembly, relating to the powers of local authorities to regulate the use of motor vehicles upon streets and highways, and enacting a substitute therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Heald moved the adoption of the following amendments:

1. By striking from section one (1) and two (2) the catchwords.

2. By striking from line two (2) of section one (1) the figures "1911".

3. By striking from section two (2) in line fifteen (15) the figures "1911".

4. By inserting in line ten (10) of section two (2) the words and figures "five thousand (5,000)" in lieu of the figures "20,000".

Adopted.

Senator Smith offered the following amendment and moved its adoption:

I move to strike out the words and figures, "having a population of five thousand (5,000) inhabitants or more", from section 2 and substituting therefor, "and towns".

Adopted.

Senator Heald 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 ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Chase, Cowles, Crow, DeWolf, Gillette, Hagemann, Jewell, Legel, McColl, Savage, Schrup, Spaulding, Webber—15.

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

REPORT OF COMMITTEE.

Senator Clarkson, 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. 309, a bill for an act to provide the method of constructing and operating gypsum mines, for escape shafts and for the ventilation of such mines, to provide for the inspection of the same by the state mine inspector, to require operators to report fatal accidents and to provide penalties for violation of this act, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN T. CLARKSON,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Crist, Senate File No. 448, a bill for an act for the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick, for a certain tract of land.

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

By Senator Legel, by request, Senate File No. 449, a bill for an act to amend the law as it appears in section one (1), chapter thirty-seven (37) of the acts of the Thirty-fourth General Assembly relating to public nuisances and the abatement thereof.

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

HOUSE MESSAGES CONSIDERED.

House File No. 416, a bill for an act to prohibit the extension or renewal of contracts now existing between the board of control and certain firms, associations or corporations for the services of prisoners confined at Anamosa and Fort Madison, to prohibit any further or additional contracts for the services of said prisoners, to provide the kind and character of employment for said prisoners, and the disposition and sale of articles manufactured at any penal institution of this state.

Read first and second time and referred to committee on Board of Control and its Institutions.

House File No. 132, a bill for an act to provide state aid to consolidated schools equipped with two or more rooms and which include in their course of study industrial and vocational subjects, and making an appropriation therefor.

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

House File No. 149, a bill for an act to amend the law as it appears in section ten hundred and fifty-six-a-nine (1056-a-9) of the supplement to the code, 1907, relating to municipal accounting of cities and towns.

Read first and second time and referred to committee on Cities and Towns.

House File No. 55, a bill for an act to amend section one thousand eighty-seven-a-ten (1087-a-10) of the supplement to the code, 1907, as amended by chapter sixty-nine (69) acts of the Thirty-third General Assembly, and chapters fifty-eight (58) and fifty-nine (59) acts of the Thirty-four General Assembly, relating to nomination papers.

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

House File No. 54, a bill for an act providing for the sanitation of bakeries, canneries, packing houses, slaughter houses, dairies, creameries, cheese factories, confectioneries, restaurants, hotels, groceries, meat markets, and all other food producing establishments, manufactories, or other places where food is prepared, manufactured, packed, stored, sold or distributed, and vehicles in which food is placed for transportation; providing for the licensing of persons, firms or corporations operating or conducting bakeries, candy factories, ice cream factories, canning factories, slaughter houses, meat markets or places where fresh meats are sold at retail; fixing such license fees and the duration of such license and the rights thereunder; defining food, regulating the wholesomeness of food manufactured, prepared, packed, stored, sold, distributed or transported; defining the duties of the state food and dairy commissioner in relation thereto; providing penalties for the violation thereof and repealing acts in conflict therewith.

Read first and second time and referred to committee on Food and Dairy.

House Joint Resolution No. 15.

HOUSE JOINJ RESOLUTION NO. 15.

Joint Resolution Authorizing and Directing the Committee on Roads and Highways of the House of Representatives and the Joint Committee on Roads and Highways of the House of Representatives and Senate of the Thirty-fifth General Assembly to Make an Investigation Into the Methods and Practices of Bridge Contractors and Others Furnishing Bridge and Road Material in the State of Iowa.

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

Section 1. That the committee on Roads and Highways of the House of Representatives or the joint committee on Roads and Highways of the House of Representatives and Senate of the Thirty-fifth General Assembly is hereby authorized and directed to make investigation into the methods and practices of bridge companies and all persons, firms or corporations furnishing road and bridge material or contracting work upon bridges and highways of this state, and to that end said committee on Roads and Highways of the House of Representatives or said joint committee of the House of Representatives and Senate of Roads and Highways of the Thirty-fifth General Assembly is hereby authorized to require the personal attendance of witnesses, to issue subjoenas and exercise all authority and to provide for the payment of all expenses incurred incident thereto as authorized in sections 21 and 22 of the Code.

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

Senator Sullivan moved that 400 additional copies of Senate File No. 289 be printed.

Carried.

Senator Balkema moved that 500 extra copies of Senate File No. 332 be printed.

Carried.

Senator Clarkson moved that 2,000 additional copies of Senate File No. 442 be printed.

Carried.

By unanimous consent Senator Sullivan withdrew from further consideration by the Senate, Senate File No. 256.

The Journal of March 14th was taken up, corrected and approved.

Senator Mattes moved that the Senate do now adjourn until 10 o'clock A. M., Monday, March 17th.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 17, 1913.

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

Prayer was offered by Rev. Arthur M. Judy, Davenport, Iowa.

PETITIONS AND MEMORIALS.

Senator Balluff presented a remonstrance of citizens of Dixon and Montpelier protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Balluff presented a petition of street electric railway employes of Davenport urging the passage of the workmen's compensation bill.

Referred to committee on Judiciary.

Senator Hilsinger presented a remonstrance of citizens of Jackson county protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Larrabee presented a remonstrance of citizens of Webster county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Schrup presented a remonstrance of citizens of Dubuque county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a remonstrance of citizens of Louisa county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Jones presented a remonstrance of citizens of Montgomery county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a remonstrance of citizens of Muscatine county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a remonstrance of citizens of Louisa and Muscatine counties protesting against the passage of Senate File No. 337.

Referred to committee on Judiciary.

Senator Crow presented a remonstrance of citizens of Charter Oak, Crawford county, protesting against the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Garrett submitted the following communication from citizens of Muscatine, which was read and ordered printed in the Journal:

To the Honorable Senate and House of Representatives of the State of Iowa:

Your petitioners, citizens and tax payers of Muscatine county, Iowa, respectfully show: That the legislation of the last General Assembly of the state of Iowa, placing a flat rate tax on moneys and credits and repealing the effective laws for the discovery of concealed and omitted moneys and credits is having the effect of burdening the owners of homes and farms or other real estate with taxes both unreasonable, oppressive and unjust, occasioning a deficiency in Muscatine county alone, of over $26,000 in taxes recoverable on moneys and credits, and which has to be made up and paid by the owners of other classes of property. This discrimination in favor of capitalists and to the detriment of all other tax payers is an evil that calls for speedy remedy by your honorable body. We respectfully ask for relief; and that those that see fit to live on interest and usury be made to pay the same amount of taxes on the value of their holdings as other citizens.

Senator Fellows presented a remonstrance of citizens of Fayette county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

On request of Senator Perkins, leave of absence was granted Senator Cowles until his return.

INTRODUCTION OF BILLS.

By Senator McManus, Senate File No. 450, a bill for an act to amend chapter one hundred seventy-five (175) acts of the Thirty-fourth General Assembly pertaining to the standard for ice cream.

Read first and second time and referred to committee on Food and Dairy.

By Senator Fellows, Senate File No. 451, a bill for an act granting additional powers to the executive council.

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

THIRD READING OF BILLS.

On motion of Senator Smith, Senate File No. 117, a bill for an act to amend section 1087-a-4 of supplement to the code of 1907, as amended by section 1 of chapter 58 of the acts of the Thirty-fourth General Assembly in relation to the time of holding primary elections, was taken up and considered.

The amendment offered by Senator Neal on March 14th was adopted.

Senator Wilson of Appanoose offered the following amendment and moved its adoption:

Amend by providing that section 1087-a-10 be amended by striking the word "June" wherever the same appears in said section and that the word "August" be substituted therefor. And that section 1087-a-14 be amended by inserting the word "August" in said section in place of the word "June".

Adopted.

Senator Perkins moved the bill be referred to committee on Elections.

Lost.

Senator Quigley moved that the bill be laid on the table.

Motion lost.

Senator Smith moved that further consideration of the bill be postponed and that the bill be made a special order for 10 o'clock A. M., tomorrow.

Carried.

The president announced the following communication, which was ordered printed in the Journal:

March 13, 1913

The Honorable Members of the Thirty-fifth General Assembly:

Gentlemen: In compliance with the Concurrent Resolution, passed by both houses of the General Assembly, March 11th and 12th, we hereby submit to you the following description of the duties of, and cases handled by, the Commerce Counsel of Iowa during the past biennial period, and his relation to the Commission.

In the cases hereafter described, the Commission co-operated with the Commerce Counsel in handling the following:

Advances in rates on butter, poultry and eggs;

Western Classification No. 51;

Mississippi River case;

"Interior" Iowa case (affecting shipments between Iowa points and the East);

Iowa-Western Rate Case; and the

Sanborn Rate Case.

The Advanced Rate Case is described because it was concluded during the past two years and had the Commerce Counsel been in existence, it would have been the duty of this official to have co-operated in handling the case or to have taken charge of the same.

The Commerce Counsel had charge of all of the other cases hereafter described.

FUNCTIONS OF THE COMMERCE COUNSEL.

The Commerce Counsel is attorney for the consumers, shippers and producers generally throughout this state in cases involving rates and services before the Interstate Commerce Commission, and the Iowa Board of Railroad Commissioners. The Commerce Counsel is not attorney for the Commission any more than are the lawyers who appear for the railroads and express companies; on the other side of these same controversies.

The State Board of Railroad Commissioners is primarily a tribunal for the determination of opposing interests on intra-state matters, including rates and services.

In the past it has been customary to find the railroads represented in these cases by lawyers and traffic men of very great capacity and long expert training, while the people were usually represented by amateurs, who worked under tremendous disadvantages.

It has been our plan to develop a department whose special duty it was to care for these matters, which would be composed of capable lawyers and rate experts devoting their entire time to these matters, and thereby becoming experts capable of meeting the experts on behalf of the railroads.

Our State Railroad Commission, the Inter-state Commerce Commission and practically every state commission in the country, is empowered to act practicaly as a judge, deciding controversies as to rates and services between the public and the railroads; and at the same time they are

empowered to take the initiative on behalf of the public. In other words, they are expected to act as judge, jury, lawyer and witness, all at one and the same time. This is an absurd combination and was bound to fail. What has been the result? Every commission in the country, including both the strong ones and the weak ones, have dropped their prosecuting functions and have confined themselves almost exclusively to deciding cases brought before them. You cannot name a case decided in the entire history of the Inter-state Commerce Commission where an advance was denied or a rate reduced affecting Iowa, in which some person outside of the commission did not initiate and prosecute the case.

Up to two years ago, no department of the Iowa state government had ever successfully prosecuted a case before the Inter-state Commerce Commission. During the past two years Iowa has handled cases before the Inter-state Commerce Commission involving several millions of dollars. As yet we have not lost a case. This is due simply to the remarkably fruitful field for work which awaited this department; and the fact that we have tried to carefully select only such causes as were just.

The field for the work of the Commerce Counsel is tremendous, and almost inexhaustible, depending wholly upon the capacity of the man who fills the place.

The railroad earnings from Iowa traffic last year amounted in round numbers to $80,000,000.00; of this sum approximately $70,000,000.00 was earned on inter-state traffic, and $10,000,000.00 on state traffic.

It is impossible for any one not thoroughly in this work to have a conception of the magnitude of the field of work properly belonging to the Commerce Counsel.

Yesterday a bound volume naming over a thousand changes in rates and weights, proposed by the railroads, reached our office. A hearing will be held on them, at St. Louis, commencing April 1st. April 3d, we must be represented at Washington, D. C., in oral argument affecting the rates on over seven thousand articles from over a thousand Iowa towns to all points in sixteen states west of the Missouri river.

The Commerce Counsel department has been and can be many times more than self-sustaining. Many rate cases involve very small amounts of money, and on the other hand, there are a few that involve vast sums of money. For instance, the money involved in the Butter, Poultry and Egg Case, described herein, amounted to over three hundred and fifty thousand dollars annually,so far as Iowa alone was concerned. And the sum involved in the Feeding Cattle Rate Case, so far as it affected Iowa, amounted to more than two hundred thousand dollars annually. These cases, in addition to Western Classification No. 51, are by far the most important which have been concluded since the office of Commerce Counsel was created. All of these cases terminated in our favor. Had the advances proposed in these three cases gone into effect it would have

cost Iowa more than a million dollars a year. The record in the Advanced Rate Case shows the sum at stake in the entire country in that case amounted to more than fifty millions of dollars annually. This case was concluded in February, 1910. The advance was denied.

Changes in rates are going on constantly at the present time. Last week, for instance, 113 tariffs affecting Iowa Inter-state traffic were filed with the Inter-state Commerce Commission, each one of them including from a half dozen to several hundred changes in rates. This is a typical week. The regular routine task of keeping a constant check on these changes, and guarding Iowa's interests, is tremendous. Any month we are also liable to be confronted with a case of great importance similar to the Western Classification Case, or the Advanced Rate Case, both of which were concluded during the past two years. The great task of compelling a general revision of Iowa interstate rates, now in progress, will be worthless unless you follow that up by carefully guarding the rates which we secure.

The size of the record in these cases is enormous. In the Eastern Iowa case there were over four hundred exhibits filed and eleven hundred pages of testimony. In the Sanborn rate case the record covered a little over eight thousand pages. In the Advanced rate case, the record consisted of ten thousand, (10,069, to be exact) printed pages.

It is perfectly proper that more than one attorney should work on cases of this magnitude. In private business if you had a case involving a hundred thousand dollars you would not hesitate to employ more than one counsel. The railroads always have pursued this policy. For instance, in the case before the interstate commerce commission, involving the class rates from Iowa, to eastern points, the following lawyers appeared and represented the railroads:

T. H. Norton (Chicago, Ill.), general attorney for the Atchison, Topeka & Santa Fe railway company.

R. B. Scott (Chicago, Ill.), general attorney for the Chicago, Burlington & Quincy railroad company.

C. C. Wright (Chicago, Ill.), general solicitor for the Chicago & North Western railway company.

Garrard Winston (Chicago, Ill.), general attorney for the Chicago Great Western Railroad Company.

William Ellis (Chicago, Ill.), commerce counsel for the Chicago, Milwaukee & St. Paul Railway Company.

W. F. Dickinson (Chicago, Ill.), general attorney for the Chicago, Rock Island & Pacific Railway Company.

A. P. Humburg, general attorney for the Illinois Central Railroad Company.

George W. Seevers (Minneapolis, Minn.), general counsel for the Minneapolis & St. Louis Railroad Company and the Iowa Central Railway Company.

M. S. Connolly (Pittsburgh, Pa.), general attorney for the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, Pennsylvania Company and Pennsylvania Railroad Company.

Douglas Swift (New York City, N. Y.), attorney for the Delaware, Lackawanna & Western Railroad Company.

O. E. Butterfield (Detroit, Mich.), general attorney for the New York Central lines.

The chairman of this commission has gone beyond his duties absolutely required by law in handling six of the important interstate cases. But during the early tentative stages of the growth of the commerce counsel department, it was thought wise to do everything possible to help to get it on its feet and make it an unqualified success. Under the law the commerce counsel on interstate cases must do what is required of him by the board. More and more the commerce counsel has been given charge of interstate cases.

It is absolutely necessary on intrastate cases that the commerce counsel shall be entirely independent of the state board so that he can be truly the advocate of the public before the commission with power to take the initiative on behalf of the public. This serves two purposes. First, it lets him fight his case as he pleases without the embarrassment of representing the tribunal which makes the decision. Second, it serves as a check,—if he becomes lax, the commission is still there to guard the public interests; if the commission becomes weak and ineffective, the commerce counsel can do some very effective prodding. A check of this sort is well, where such large interests are involved.

On interstate cases I think it wise for both departments to be able to co-operate, as at present, on important matters. Both must use the rate department, the tariff files, etc.

I think it well for the state to be able to hold this department responsible for results. We have tried to bring results. If we have failed, you should make a change. If we have succeeded, you should leave things as they are, and encourage us to further work and success, and not try to cripple or to hamper us.

Respectfully submitted,

CLIFFORD THORNE,

Chairman State Board of Railroad Commissioners.

ORGANIZATION OF THE RATE DEPARTMENT.

The Rate Department of the Iowa Commission was organized about July 15, 1911. At this time there were less than one thousand effective tariffs in the files, and such tariffs were those of the roads passing through the state. The department has now over 20,000 effective tariffs and supplements which affect interstate traffic from Iowa pointts. This file has been of great value in quoting rates to shippers in the state, and, of course, has been of great assistance in preparing and prosecuting the interstate rate cases. This file is open to the public at all times.

The department has compiled a set of rate charts covering various important commodities, such as live stock, grain, coal, lumber, etc., showing rates from Iowa stations to the principal markets; for example,—grain rates are shown from the Iowa stations to Chicago, Kansas City, Peoria, St. Louis and St. Paul. These tables are revised daily as the rates are changed by supplements or re-issues of the tariffs.

IMPORTANT INTERSTATE CASES CLOSED.

WESTERN CLASSIFICATION NO. 51.

Western Classification No. 51 is a tariff published by the railroads causing changes on over a thousand items affecting interstate traffic to and from every town in Iowa and all points in Illinois, Wisconsin and all points west of the Mississippi river to the Pacific coast. A member of the Iowa Commission as chairman of the committee representing sixteen western state commissions protested against the advances proposed.

This single case is equivalent to more than a thousand cases because each one of the thousand advances would be applicable between all Iowa points and all of the territory above described.

The investigation lasted over one year, resulting in one of the most important decisions ever rendered by the commission. Next to the opinion in the express case, it is the longest ever made by the commission.

The carriers, in compliance with the orders of the commission, have filed several hundred changes effective March 31st.

Amongst the important items was an advance of 100 per cent on binding twine, 50 per cent on silos, 23 per cent on sweat pads and collars, 50 per cent on essential oils, 40 per cent on cattle and sheep dip, 150 per cent on litter carriers mixed with agricultural implements.

A few of the important phases of the decisions of the commission in this case are as follows:

First in importance are the rules and regulations. The carriers proposed many things. These are applicable to every city, town and hamlet west of the Mississippi river. The state commissions made objections to fourteen of these rules, and changes were made or ordered in twelve of them.

A concrete illustration of these concerns the dunnage allowance. Prior to the issuance of No. 51, the carriers permitted shippers to use lumber and boards to prop up machinery in a car, the railroads hauling 500 pounds of such lumber free of charge. No. 51 abolished this dunnage privilege, and the commission ordered it reinstated. When one considers the thousands of shipments that are made annually, the importance of such a ruling can be appreciated.

Another change of importance to the western half of the United States concerns green hides. The carriers put in a rule permitting them to refuse to take green hides for shipment. We pointed out that they could be stored or handled in live stock cars, and not contaminate other commodities, and claimed that the carriers should be compelled to accept same for transportation. Our position was sustained by the commission.

Second, several hundred advances were proposed by the railroads in minimum weights. They announced their policy to be the establishment of minimums upon the physical capacity of the cars, refusing to take into consideration the commercial conditions surrounding the transportation. Prior to the decision in this case the commission was divided on this proposition.

A concrete illustration of the result of this policy is as follows: Ferris wheels are never loaded more than one to a car in actual traffic, but a car will hold two wheels with a combined weight of considerably more than 24,000 pounds. This was used as a justification to raise the minimum weight fifty per cent.—from 16,000 to 24,000. Commercial conditions dictate the 16,000 minimum, and the carriers are ordered to reinstate the same. This decision crystalizes the policy of the federal government in favor of considering both the physical capacity of the car and the commercial conditions in the establishment of minimum weights.

Third. (Mixtures). One of the most important parts of this case concerns carload mixtures. The carriers have proposed the elimination of carload mixtures on 234 articles, and have proposed changes restricting carload mixtures on more than three hundred other articles. One of the most important changes affecting carload mixtures, which serves as an illustration of the effect of such changes, concerns binding twine. Prior to the issuance of No. 51, the carriers permitted binding twine to be shipped mixed with agricultural implements, all of which took carload rates. In No. 51, they proposed to apply L. C. L. rates on all shipments of binding twine made in this manner. This would have caused an advance of about one hundred per cent in the freight rates on binding twine and more than ninety per cent of all binding twine shipments, we were told by the largest shippers in the country, would be affected by this hundred per cent advance.

As indicating the policy of the carriers; thirty-two articles had carload mixtures granted to them, while over five hundred articles were totally eliminated from carload mixtures, or the mixtures were changed or restricted. The Interstate Commerce Commission in their decision has ordered the carriers to pursue diametrically the opposite course. Instead of restricting mixtures, they are instructed to make them more liberal.

On these three great phases of the case, the representatives of the nine hundred railroads who are defendants, and the representatives of the sixteen state railroad commissions clashed. The state commissions opposed the railroads on fourteen of their rules, on the proposition that commercial conditions are properly considered in the framing of carload minimum weights, and lastly, on the proposition that mixtures should be made more liberal instead of being restricted. In all three of these positions taken by the carriers, the tendency was against the small shipper, increasing the carload minimums, limiting the carload mixtures, and making the rules more burdensome; three matters of truly national importance.

Frequently generalizations are not nearly so instructive as concrete illustrations. For that reason, we have compiled the following itemized list of the recommendations urged by the state commissions, and the decisions of the Interstate Commerce Commission on all articles where specific complaint was made by us, and sustained by the Interstate Commerce Commission.

(ADVANCES DISAPPROVED IN NO. 51.)

RULES.

Rule 2. This rule, as proposed by the railroads, placed the burden upon the shipper of knowing whenever articles take different rates because of the value of said commodity, and required the shipper to prepare and sign a statement for the railroad. Our contention was that where two rates were applicable on the same shipment because of different values, it is the duty of the carrier to notify the shipper of this fact. The commission decides:

"This rule should be so reconstructed, as to place upon the carriers the positive duty to first print those conditions, and not require the shippers to write them, and upon the carrier's agent, the duty to notify the shipper of the alternative rates and present for his signature, the necessary bill of lading, to secure the desired rate."

Rule 4. This rule gave to the carriers the right to refuse to carry freight on which they have a rating. Objections came chiefly from the shippers of green hides. The commission decides:

"We think the rule should be modified so as to eliminate the carriers' right to refuse shipments of green hides when they are in proper condition for transportation."

Rule 6-A. Section 1. State commissions asked that the phrase "one loading point" should be stricken from the rule. And the commission so decided.

Rule 6-A. Sec. 4. The state commissions said.

"If this rule is allowed to go into effect, and is obeyed, the agent can, by failing to perform duties required of him, or for the purpose of discriminating, or for any other reason which may occur to him, or through carelessness or ignorance, wrongfully distribute a carload of freight, and penalize the consignor by causing said shipment to draw less than carload rate.

"We respectfully submit that the provision is exceedingly unjust and unfair, and should be stricken in its entirety from the classification, or else the clause 'on written request of the consignor, consignee or owner,' be inserted before the word 'destination.'"

The Interstate Commerce Commission decides:

"This punishes the shipper for the derelictions of the carriers' agents. We cannot approve of such a rule."

Rule 6-B. Two main issues concerning this rule had to do, first, with the unit, and second, with its application. It was suggested by the state commissions that on some articles cubical contents rather than linear feet be taken as a proper basis, and the Interstate Commerce Commission so decided. The application of this rule to agricultural implements caused a very extended discussion in the record. The carriers wanted to advance the carload minimum on agricultural implements from 20,000 to 24,000. This advance was disapproved by the commission. On the direct issue as to whether or not commercial conditions are factors to be considered in estimating minimum weights, the carriers took the position that they should not be considered, and the state commissions took the position that they should be considered; and the Interstate Commerce Commission decided as follows:

"If individual rates, with respect to which the commission is required to make orders, or which the carriers establish, may be determined as they have been, by so-called commercial conditions, why should not minimum weights be affected and established in the light of these same conditions. It is our conclusion, therefore, that carriers should take into consideration both the physical minimum and the commercial minimum in deciding upon a classification minimum to govern carload shipments throughout the country, and provide themselves with cars of corresponding sizes."

Rule 7. Par. 2. Note E. This rule required all overflow shipments, no matter how large, to be marked by the shipper.

The state commissions said:

"This rule is not complained of, nor are objections made to the same if it is to apply only when a shipper is, in fact, forwarding an overflow shipment and such overflow is not caused by the act of the carrier, and it does not exceed 6,000 pounds. However, when the overflow does exceed 6,000 pounds, or in the direct results of the failure on the part of the carrier to furnish the size of the car ordered by the shipper, it does not seem fair or just or reasonable that the penalty for such failure should fall upon the shipper."

The Interstate Commerce Commission ruled as follows:

"'Follow lot' shipments should be marked by the shipper of the 'follow lot' whenever they constitute an overflow, resulting from the failure of the shipper to designate the dimensions of cars required for his shipment. But where the shipment could be loaded in a car of the size ordered by the shipper and two cars are furnished by the carrier, the marking where necessary should be done by the carrier."

Rule 7. By this rule the carriers sought to require a certain form of tag to mark shipments, made with metal eyelets. The state commissions objected to this, and the Interstate Commerce Commission disapproved the change.

Rule 10. This is a new rule providing a change in the nested rule, requiring three or more articles to be packed in a certain given manner in order to secure interstate ratings, which are much lower than others. If this change had gone into effect, it would have caused an increase in freight rates of more than fifty per cent to the sellers and purchasers of iron tanks on the farms generally throughout this territory.

State commissions objected to the rule, and were sustained by the Interstate Commerce Commission.

Rule 18. State commissions protested against the rule because of the large advance in freight rates whenever the carriers load or unload a large shipment. Carriers make application of the minimum carload rate on the L. C. L. shipments wholly conditional upon the shipper loading or unloading.

State commissions claimed the charge for less than car loads should not exceed the charge for carloads, plus the reasonable charge or cost which should be allowed for the carrier to handle it. In the past, this has been one and one-fourth cents. The commission orders the continuance of one and one-fourth cents per hundred pounds, as in the past, and disapproves the change proposed by the carriers, causing the advance stated.

Rule 24. Sec. 2. State commissions objected to the phrase "one loading point,' and the same was stricken from the rule by order of the Interstate Commerce Commission.

Rule 27. This is the dunnage rule described above. Carriers heretofore have allowed 500 pounds in Western Classification, and a thousand pounds dunnage on many articles in Southern Classification, and 500 pounds in Official Classification territory.

Here there was a lack of uniformity, and in an attempt to make it uniform, the railroads attempted to remove all dunnage. The commission ordered the 500 pounds dunnage reinstated.

Rule 30. Carriers attempted to eliminate provisions allowing for returning stoves, and the transportation of caretakers. The commission ordered:

"The classification should either provide for the transportation of a necessary caretaker of perishable freight free of charge, or require carriers to take care of stoves and replenish fuel in transit when such protection is required."

ADVANCES DISAPPROVED.

SPECIFIC ITEMS.

Boracic Acid—Carriers made an advance from second to first class, or 23 per cent on boracic acid, in fibre or metal cans or cartons, in barrels or boxes.

The commission disapproved this advance.

Oxalic Acid.—Carriers made an advance from second to first class, or 23 per cent on oxalic acid.

The commission disapproved this advance.

Muriatic, Nitric, and Sulphuric Acids. Carriers proposed to advance carload rating from fourth to third class, and to eliminate the mixture which would have caused an advance of 40 per cent on mixed shipments. Carriers during the progress of the case agreed to reinstate the old rating and mixture.

Potato Planters.—Carriers made an advance from third to first class, or 77 per cent on potato planters, K. D.

The commission disapproved this advance.

Condiments.—Carriers made an advance from fourth to first class, or 150 per cent on condiment mixtures, when not compounded, by having the words "mixtures" and "compounded" stricken out. Minimum weight advanced from 24,000 to 30,000.

The commission disapproved these advances.

Mail Bags.—Carriers made an advance on mail bags mixed with pouches by eliminating the mixture; this would cause an advance from third to first class, or 77 per cent on mixed carlots of mail bags and pouches. During the progress of the case, the carriers agreed to re-establish the old mixture.

Box Toes.—Carriers made an advance on box toes in bags from second to one and one-half times first class, or 84 per cent; on box toes in barrels or boxes from second to first class, or 23 per cent.

The commission disapproved these advances.

Litter Carriers.—Carriers eliminated the mixture with agricultural implements, and did not provide for any carload rating. These are usually manufactured and shipped with other agricultural implements. This change would have increased the rate 150 per cent on litter carriers mixed with agricultural implements.

The commission disapproved this elimination.

Cattle and Sheep Dip, Liquid.—The carriers made an advance on less than carloads from fourth to third class, or 40 per cent, on cattle or sheep dip, liquid, in metal cans in boxes.

The commission disapproved this advance.

Whiting.—Carriers eliminated the mixture of whiting with dry paint in carloads, which was disapproved by the commission.

Also advanced the rating on whiting L. C. L., in cans or cartons, in barrels or boxes from fourth to second class, or 100 per cent.

This was disapproved by the commission.

Also advanced the carload minimum weight from 36,000 to 40,000 pounds, or 11 per cent.

This was disapproved by the commission.

Feed Cookers.—Ambiguous wording by carriers.

Disapproved by the commission.

Binding Twine.—Carriers eliminated mixture with agricultural implements, carload, which would have caused an advance of about 100 per cent on shipments of binding twine.

This was disapproved by the commission.

Portable Corn Cribs.—Carriers advanced the carload rating from Class C to fifth class, or 22 per cent, and reduced the minimum weight from 24,000 to 20,000 pounds, subject to Rule 6-B.

The commission disapproved of this. "The necessity for the reduction in minimum should be estabItished and data on values submitted before this change is approved."

Essential Oils.—Carriers advanced the rating on essential oils L. C. L., packed in barrels or boxes, from double first class to three times first class, or 50 per cent.

In copper or iron drums, from first to three times first class, or 200 per cent.

In metal cans in boxes from first to double first class, or 100 per cent.

In bulk in barrels from second to double first class, or 146 per cent.

The commission disapproved these advances.

Ferris Wheels.—Carriers eliminated the mixture of Ferris wheels and merry-go-rounds (carousals) and advanced the minimum weight from 16,000 to 24,000 pounds, or 50 per cent.

The commission disapproved this advance and elimination.

Gloves or Mittens, Hats or Caps, Fur.—Carriers advanced the L. C. L. ratings on cheap grade of fur gloves or mittens, hats and caps, from first class to double first class, or 100 per cent.

The commission disapproved of this.

Sweat Collars and Pads.—Carriers eliminated the carload mixtures on sweat collars and sweat pads (not leather or leather covered) and advanced the rating on L. C. L. from second to first class, or 23 per cent.

The commission disapproved these advances.

Junk.—Carriers eliminated the mixture of brass and copper scrap, paper scrap, rags and tin scrap, from junk, C. L., causing an advance on these articles of 104 per cent.

The commission disapproved this advance.

Blue Print Machines. Carriers advanced the L. C. L. rating on blue print machines from one and one-half times, to double first class, or 33 1-3 per cent.

The commission disapproved of this advance.

Marbles.—Carriers advanced the L. C. L. rating on hollow steel marbles from second to first class, or 23 per cent.

The commission disapproved of this advance.

Mop Handles.—The carriers advanced the L. C. L. rating on mop handles in boxes or crates from fourth to third class, or 40 per cent.

Mop handles in bundles from third to second class, or 44 per cent.

The commission disapproved this advance.

Patent Insides.—The carriers advanced the L. C. L. rating on patent insides from second to first class, or 23 per cent.

The commission disapproved this advance.

Oilers.—Carriers eliminated the mixture of oilers with tinware, carload, and also eliminated carload rating. This would have caused an increase of 150 per cent in the rate.

The commission disapproved this elimination.

Flat Writing Paper.—Carriers advanced the L. C. L. rating on flat writing paper (less than 31 united inches) from third to first class, or 77 per cent, and on carloads from fifth to third class, or 66⅔ per cent.

The commission disapproved this advance.

Paper Pads and Tablets.—Carriers advanced the L. C. L. rating on paper pads and tablets (writing paper) from third to first class, or 77 per cent, and fourth to third class, on carloads, or 40 per cent.

The commission disapproved this advance.

Tobacco Pipes.—Carriers eliminated the carload rating on tobacco pipes, advancing the rating from fourth to second class, or 103 per cent.

The commission disapproved this advance.

Quassia Chips.—Carriers made an advance from third to first class, or 77 per cent on quassia chips.

The commission disapproved this advance.

School Desks and Seats.—Carriers eliminated the mixture of school desks and seats with furniture.

The commission disapproved this elimination.

Cattle Stanchions.—Carriers eliminated the carload rating on cattle stanchions, causing an advance from C. L. to L. C. L. ratings, or 103 per cent on carload shipments.

The commission disapproved this advance.

Scythe Stones.—Carriers eliminated the carload mixture of scythe stones with agricultural implements.

The commission disapproved this change.

Pine Tar.—Carriers made an advance from fourth to third class, or 40 per cent on L. C. L. shipments of pine tar in metal cans in barrels or boxes.

The commission disapproved this advance.

Sleighs.—It has been the practice for years to ship sleighs as crated with runner protruding. Carriers changed the rule to read "so that no part will protrude."

The commission disapproved this change.

Phosphate of Lime.—Carriers made an advance from fourth to first class, or 150 per cent on L. C. L. shipments of phosphate of lime in cans or cartons, in barrels or boxes.

The commission disapproved this advance.

Carbonate of Lime.—Carriers made an advance from fourth to second class, or 103 per cent, on L. C. L. shipments of carbonate of lime in bags, barrels or boxes.

The commission disapproved of any advance higher than third class.

Magnesium, Sulphate of.—Carriers made an advance from third to second class or 40 per cent, on L. C. L. sulphate of magnesium in cans or cartons, in barrels or boxes.

The commission disapproved this advance.

Chlorate of Potash.—The carriers proposed an advance from third to first class, or 77 per cent on L. C. L. shipments of chlorate of potash in cans or cartons, in barrels or boxes.

The commission disapproved this advance.

Permanganate of Potash.—Carriers proposed an advance from fourth to second class, or 103 per cent, on permanganate of potash, L. C. L., in metal cans, in barrels, or boxes.

The commission disapproved of any rating higher than second class.

Arsenate of Sodium.—Carriers proposed an advance from third to first class, or 77 per cent, on arsenate of sodium, in fibre or metal cans or cartons, in barrels or boxes.

The commission disapproved this advance.

Phosphate of Sodium.—Carriers proposed an advance from fourth to first class, or 250 per cent, on phosphate of sodium in fibre or metal cans or cartons, in barrels or boxes, L. C. L.

The commission disapproved this advance.

Sodium Sulphate.—Carriers proposed an advance from fourth to first class, or 150 per cent on sodium sulphate, in cans or cartons, in barrels or boxes.

The commission disapproved this advance.

Sodium Sulphite.—Carriers proposed an advance from fourth to first class, or 150 per cent, on sodium sulphite, in fibre or metal cans or cartons, in barrels or boxes.

The commission disapproved this advance.

Zinc Chloride. (Dry).—Carriers proposed an advance from fourth to first class, or 150 per cent, on chloride of zinc, in metal cans, in barrels or boxes.

The commission disapproved this advance.

Sulphate of Zinc.—Carriers proposed an advance from third to first class or 77 per cent, on sulphate of zinc, in fibre or metal cans, or cartons, in barrels or boxes.

The commission disapproved this advance.

Hemp Seed.—Carriers proposed an advance from fourth to third class on L. C. L. shipments, or 40 per cent.

The commission disapproved this advance.

Coriander Seed.—Carriers proposed an advance from second to first class, or 23 per cent, which is disapproved by the commission.

CARLOAD MIXTURES.

Machinery.—Carriers restricted the mixture of carload machinery on the following articles:

Item 13, page 197, belt tighteners;

Item 19, page 197, boilers, steel boiler drums, air tanks, air receiver tanks, boiler plate iron.

Item 21, page 198, bulldozers.

Item 7, page 200, concrete mixer hoist buckets.

Item 8, page 203, hammers, steam or power trip.

Item 14, page 205, machines for shearing bar iron.

Item 24, page 206, shoes, dies, cams, heads, tappets, cast iron or steel for stamp mills.

Item 12, page 208, pulleys.

Item 19, page 208, punching machines used for punching plate and bar iron.

Item 20, page 208, purifier boilers, including steam jacket heaters and condensers, feed water heaters and purifiers, steel tank filters,

Item 11, page 209, saw frames, circular or drag.

Item 16, page 209, screens formed by punching holes in sheet iron or steel.

Item 4, page 210, shafting, wrought or cast, with pulleys or wheels attached.

Item 17, page 210, smokestacks.

Item 1, page 211, stills, copper or iron, including worms.

Item 21, page 211, water wheels.

The foregoing eliminations and restricted mixtures would have caused large advances on all carload shipments of these articles, and the same are disapproved by the commission.

Canned Goods.—Carriers proposed an advance on canned goods, eliminating carload mixtures of fruits and vegetables. The commission disapproved this advance, and ordered the following mixtures on food products, fruits and vegetables.

Pimentos (canned peppers), baked beans and pork, canned hominy and canned corn, corned beef, dried or smoked meats, corned beef hash, canned meats and soups, canned sausage, meats potted and pickled, chili con carne, chicken tamales, spaghetti-meat-chili, canned meats with vegetable ingredients.

(Fruit) canned or preserved, (in juice or syrup, or in liquid other than brine, or alcoholic liquor). Fruit jelly, fruit butter, crushed fruit, fruit jam, fruit pulp.

Egg Cases.—Carriers proposed to eliminate the mixture of egg cases and egg carrier fillers, causing an advance on such mixed shipments of 140 per cent.

This was disapproved by the commission.

Peas and Beans.—Carriers proposed to eliminate the carload rating on such mixed shipments of dried peas and dried beans, causing an advance of 66 per cent on such mixed shipments.

This advance was disapproved by the commission.

In addition to these decisions upon specific cases, the commission laid down certain definite rules, outlined above, for the revision of the rest of the classification, stating:

"It is expected that carriers will revise No. 51 and direct the future development in accordance with the views expressed in this report."

If this is done in a bona fide manner it will mean more than a thousand changes. That the carriers have seriously undertaken this task in a fair manner, is evidenced by the fact that their first installment of changes in No. 51, covers three hundred and twenty-five subjects, equivalent to over six hundred items.

In addition to the establishment of the basic principles for three important factors of the classification framing carload mixtures, minimum weights and rules described in the fore part of this analysis, probably the most fundamental change resulting from this investigation is the order of the commission prescribing specifically the manner in which classification shall be made in the future.

In their decision the commission says:

"The making of a freight classification is a great public function. In the past the hearings before the classification committees have been semi-public rather than public, and in a certain sense they have been private, although in later years the tendency has been toward greater publicity. Public business can not be conducted in a private way. The failure to recognize this fact fully, and to proceed in accordance with it, has been largely responsible for the commotion centering about Classification No. 51."

As to the future, the commission states:

"Procedure in the Future.—The formal hearings of classification committees hereafter should be made public, after due notice to the interested parties, including state commissions and the Interstate Commerce Commission. A record of the facts and arguments for and against a certain classification should be kept. As rapidly as items, or groups of items, have been disposed of by the classification committee they should be published in accordance with law. In case of a protest to this commission, the record made up before the committee should be promptly transmitted to the commission. On the basis of this record, supplemented when necessary by additional inquiries, the commission will be able to decide whether or not to suspend a proposed change in the classification. We believe that this manner of procedure will obviate nearly all formal proceedings in the future, and will confine investigations on the part of this commission to the relatively few and large matters decisive of principles and possibly also affecting great material interests."

A western classification of freight fixes the relative rates on eight thousand articles throughout three-fourths of the nation. No. 51 proposed more changes than any other tariff ever filed by any railroad or railroads. And the decision in this case is the most epoch-making on classification matters ever rendered by the Interstate Commerce Commission.

POULTRY, BUTTER AND EGGS.

About July 12, 1912, the Iowa Commission was advised that the railway companies in Official Classification Territory were considering an advance from second to first-class in the freight rates on butter, eggs and poultry. The commission received numerous requests asking the Iowa Commission to intervene in behalf of the interested shippers and associations at the hearing before the Official Classification committee.

The chairman of the Official Classification committee advised that the commission could be heard at New York on July 23rd, at which time a member of the Iowa Commission and the commerce counsel appeared before the committee protesting against the proposed advances. This matter was of vast importance to the Iowa shippers. We asked the State Dairy Food department to give us a conservative estimate of the volume of traffic moving from Iowa points to the Atlantic coast, which would be affected by the change; we asked for the same figures from the State Poultry Deal-

ers' association. With this as the basic figures, and knowing the advance in cents per hundred pounds, we find that the proposed advance in the rates would have cost Iowa approximately $356,000.00 annually. After the hearing the Official Classification committee did not advance the rates.

ADVANCED RATE CASE.

The commission was represented in oral argument of this case by a member of the commission who had been working on the case prior to his qualifying as a railroad commissioner.

The carriers in eastern territory testified that the advance would net them in round numbers $27,000,000.00 annually. The western carriers sought an advance on two hundred different commodities affecting this territory and the two combined aggregated over $50,000,000.00, as a general advance for freight rates in the United States. Probably never before in the history of the human race has such a large sum been involved between private individuals before any tribunal. The carriers failed to get this fifty million ($50,000,000.00) dollar advance. A member of the Iowa commission opened and closed the argument for the shippers of the country in this case.

Commodities which would have been advanced had the railroads succeeded in I. C. C. Docket No. 3500:

	Present Rate.	Proposed Rate.	Amount of Advance.
Acid, in tank cars	.15	.17	.02
Agricultural implements and parts thereof.	.26	.30	.04
Agricultural implements, hand	.32	.37	.05
Alumina, sulphate of	.22½	.26	.03½
Ammonia (anhydrous)	.45	.52	.07
Asphalt and asphaltum in solid form	.12½	.14½	.02
Asphalt, in solid form, originating east of the western termini of trunk lines	.10	.12	.02
Axes	.35	.40	.05
Bags and bagging, in bales or rolls	.21	.24	.03
Bagging, clayed, originating east of the Illinois-Indiana state line	.13	.15	.02
Barn door hangers, etc	.27	.31	.04
Beer, beer tonic, malt tonic, etc	.22	.25	.03
Blankets (horse) any quantity, nets, eastbound	.55	.63	.08
Bone, ground, eastbound	.20	.23	.03
Bones, horns, hoofs, and horn pith	.18½	.21	.02½
Bottle caps	.32	.37	.05
Bottle caps, L. C. L	.45	.80	.35
Calcium, chloride of	.22½	.26	.03½
Cards, sample	.45	.52	.07

Cartridge shells, loaded	.22	.27	.05
Cement, paving or roofing	.12½	.14½	.02
Pitch, coal tar	.11	.13	.02
Cereal food products, cooked or partially cooked	.25	.27	.02
Chocolate	.45	.52	.07
Cinders, mill and scale, mill (in dollars per ton, 2,240 pounds)	$2.00	$2.30	$ .30
Cloth, burlap press, any quantity	.50	.57½	.07½
Cocoa beans	.32	.37	.05
Cooperage; barrels, casks, drums, etc.	.18½	.18½	...
Copperas, or sulphate of iron	.17	.18½	.01½
Copper matts, relative to value of not to exceed $100 per ton of 2,000 lbs. and pig lead	.10	.12	.02
Copper, sulphate of	.20	.23	.03
Depilatory	.27	.31	.04
Feldspar, cryolite, flour spar	.22½	.26	.03½
Fiber cans	.45	.52	.07
Forges, blowers, and drills, blacksmiths'	.27	.31	.04
Fuse	.70	.80	.10
Glass, broken	.16	.18½	.02½
Glucose, molasses, syrup, etc.	.23½	.27	.03½
Glycerin, concentrated spent lye	.16	.20	.04
Go-carts	.30	.35	.05
Harness and saddlery	.45	.52	.07
Ice (dollars per ton 2,000 lbs.)	$2.50	$2.70	.20
Iron, pig (dollars per ton 2,240 lbs.)	3.58	4.00	.42
Pipe (wrought iron or steel)	.18½	.21	.02½
Pipe (cast iron)	.18½	.21	.02½
Drive-well, points, iron pipe couplings and fittings, separators, etc.	.18½	.21	.02½
Iron or steel poles	.18½	.21	.02½
Iron (scrap) including borings, axles, etc.	.15	.17	.02
Billets and blooms, steel (dollars per ton of 2,240 lbs.)	$4.00	$4.02	.02
Limestone, ground	.12½	.14½	.02
Liquors	.38	.45	.07
Machinery, creamery, per Western classification	.32	.32	...
Magazines (paper) in boxes, bundles or sacks	.35	.40	.05
Mops	.32	.37	.05
Ores, viz., antimony, copper, lead, zinc, etc.	.15	.17	.02
Base bullion, copperplates, copper matts, etc.	.17½	.20	.02½
Paint (dry earth) mortar, color, whiting, etc.	.17	.19	.02
Paper, building and roofing, etc.	.16	.18½	.02½
Box board (paper) wood-pulp board	.18	.21	.02½

Paper matting	.45	.51	.06½
Paper (scrap) rags, rope (old)	.18	.21	.03
Phosphate, trisodium	.22½	.26	.03½
Picture frames, picture molding	.32	.37	.05
Railway material, various kinds	.17	.19½	.02½
Passenger equipment, moving on own wheels, (in dollars per car)	$55.00	$63.00	$8.00
Freight equipment, moving on own wheels, in dollars per car)	27.50	31.50	4.00
Locomotives, snow plows, cranes, as above (in dollars per ton of 2,000 lbs.)	2.10	2.40	.30
Rails, new, and crossties, steel (in dollars per ton of 2,240 lbs.)	2.75	3.15	.40
Rails, second-hand (in dollars per ton of 2,240 lbs.)	2.75	3.15	.40
Railroad track fastenings, various kinds, (in dollars per ton of 2,000 lbs.)	2.75	3.15	.40
Roof coating, asphaltic	.20	.23	.03
Salt cake	.17½	.20	.02½
Saltpeter	.20	.23	.03
Salts, Epsom	.22½	.26	.03½
Shade cloth, plain, uncut and undecorated	.35	.40	.05
Shade or curtain rollers or slats or fixtures	.27	.32	.05
Shot	.15	.17	.02
Soda, carbonate of	.15	.17	.02
Soda, nitrate of, in boxes, bags, barrels, etc.	.22½	.26	.03½
Soda, silicate of and caustic, calcium chloride, in tank cars	.15	.17	.02
Soda, silicate of, in barrels, casks, drums or pails	.15	.17	.02
Soda, sulphate of	.17½	.20	.02½
Starch	.18	.21	.03
Stone, rough, building, curbing and paving	.12½	.14½	.02
Tile, roofing	.14	.16	.02
Vinegar	.22½	.26	.03½
Wine, domestic	.45	.52	.07
Wood pulp	.17	.20	.02½
Zinc	.23	.27	.04
Zinc, sulphate of	.20	.23	.03
Brick (enameled)	.17½	.20	.02½
Lead tailings, carbonate of	.10	.12	.02

The foregoing are only a few of the proposed advances, which were defeated. In all, there were 200 commodities. As confirmation of my statement I will call attention to the following extract from the decision of the commission which can be found in I. C. C. Docket No. 3500, page 2: "This proceeding, which is probably known as the 'Western Advanced Rate Case,' involves the reasonableness of the rates upon some two hundred commodities which the carriers west of Chicago have attempted to increase."

IMPORTANT INTERSTATE CASES NOW PENDING.

MISSISSIPPI RIVER CASE.

On July 11, 1911, the Iowa commission instituted proceedings before the interstate commerce commission relative to class rates (this includes over 8,000 articles) between points on the Atlantic seaboard and in Central Freight Association territories, which includes all eastern points, and cities located on the Mississippi river between Dubuque and Keokuk. At the present time, St. Louis is enjoying 117 per cent of the Chicago rate on shipments from the east, while the Mississippi river cities pay 122 per cent of the Chicago rate, plus the bridge toll, which is 5 cents per hundred pounds on first-class, and graduated down for the other classes.

Hearings were held at Des Moines, Iowa, on November 1, 1911, before the interstate commerce commission, and by request of this commission, a special hearing was held at Keokuk, Iowa, on January 18, 1912. This hearing was requested at Keokuk because of the vast importance a readjustment in the rates would mean to the growth of this city on account of the industries which will be located there after the completion of the dam. A member of the commission, the commerce counsel and his assistant, attended these hearings and examined and cross-examined witnesses.

At a later date a printed brief and reply brief were filed in the name of the commission, and on March 22, 1912, this commission presented oral argument at Washington, D. C., before the interstate commerce commission.

In these cases, 159 exhibits were prepared and introduced by the rate department of the Iowa commission. The case is now submitted and is awaiting decision. In this case we claim that the Iowa cities on the Mississippi river should have the same rates to and from the east as does Quincy, Hannibal, Louisiana (Mo.), St. Louis, and East St. Louis.

INTERIOR IOWA CASE.

On June 3, 1910, the Iowa commission instituted proceedings before the interstate commerce commission regarding the class rates between interior Iowa points and eastern points.

Hearings were held at Des Moines, Iowa, on October 30 and 31, 1911, at which time a large number of witnesses were examined and cross-examined by a member of the commission, the commerce counsel and his assistant.

This commission filed a printed brief and reply brief, and on March 22, 1912, presented oral argument to the interstate commerce commission at Washington, D. C. As previously stated, the rate department of the Iowa commission prepared 159 exhibits which were filed in this case and the Mississippi river case.

The main proposition insisted upon by the Iowa Commission as to interior Iowa points is that there should be a complete revision of the interstate rates to and from these interior points. At the present time, there is a haphazard, unreasonable series of groups throughout Iowa. The Interstate Commerce Commission, in the *Burnham-Hanna-Munger* decision, as subsequently modified in the *Warnock* case, has held 55 cents to be the reasonable differential across the state of Iowa on first-class traffic from the Atlantic seaboard. In other words, this 55 cents is the amount to be added to the first-class rate up to the Mississippi river, in order to equal the Missouri river rate. It is our claim that this 55 cents should be equitably distributed across Iowa. At present, we find more than one-half of this 55 cents absorbed before we get beyond the first tier of counties west of the Mississippi river. There was a radical change in the groupings of the live stock rates throughout Iowa, and it is the desire of the commission in the present contest to affect just as radical a change in the groupings of these class rates.

This case is now submitted.

WESTERN RATE CASE.

This proceeding was instituted by the commission on its own motion. The petition was filed with the Interstate Commerce Commission on October 23, 1912, and covers rates between approximately 1,000 Iowa towns, and all points in Montana, Wyoming, Idaho, Kansas, Nebraska, New Mexico, Nevada, Arizona, Utah, Colorado, and all points in California, Oregon and Washington, except points taking Pacific coast rates. The case involves many thousands of rates, both class and commodity, which vitally interest and affect Iowa towns.

Hearing was called at Chicago, Illinois, on January 21, 1913, before Commissioner Prouty, at which time many shippers and traffic men of the various commercial clubs introduced testimony and filed exhibits. A member of the Iowa Commission, together with the Commerce Counsel, examined and cross-examined the witnesses, and have filed briefs, and will later appear in oral argument before the Interstate Commerce Commission.

INTERSTATE CASES HANDLED BY COMMERCE COUNSEL INDEPENDENT OF ANY ASSISTANCE FROM THE BOARD OF RAILROAD COMMISSIONERS.

ADVANCE IN COAL RATES.

The commission was advised that the carriers had issued supplements to their freight tariffs advancing the rates on coal from the Iowa mines to points in South Dakota and Montana. A representative of the Iowa Commission (the Commerce Counsel) appeared at the hearing in Omaha, on November 22, 1912, opposing the said advance.

At the conclusion of the hearing the carriers voluntarily announced that the advanced rates would be withdrawn.

FEEDING CATTLE RATE.

At the present time rate on feeding cattle on interstate traffic to Iowa points is 75% of the fat cattle rate. Last year the railroads sought to advance this to the regular fat cattle rate. If this advance had gone into effect it would have cost Iowa, according to the estimate of the president of the Corn Belt Meat Producers' Association, more than $200,000.00 annually.

The attempt was defeated, the decision of the Interstate Commerce Commission being against the railroads. In this case Iowa was represented by Commerce Counsel, Judge Henderson.

Dubuque Shippers' Association vs. C. & N. W., et al.

This case affects less-than-carload shipments from Dubuque to points in Wisconsin. On September 5, 1912, petition, or complaint was filed with the Interstate Commerce Commission. Hearing was held at Des Moines on November 16, 1912. The case is now pending.

Dubuque Shippers' Association vs. Ill. Cent. R. R. et al.

On November 11, 1912, complaint was made to Interstate Commerce Commission on account of rates on excelsior. Case was assigned for hearing at Dubuque on February 21, 1913.

Marshall Oil Company, Marshalltown, Ia., vs. C. & N. W. et al.

On September 10, 1912, petition was filed with the Interstate Commerce Commission concerning rates on axle grease in mixed carloads. Case was assigned for hearing at Des Moines, November 16, 1912. Brief was filed with Interstate Commerce Commission on December 14, 1912.

The case in now pending.

State of Iowa vs. Atlantic Coast Line R. R. Co., et al.

This case affected rates on glucose from Iowa points to the Atlantic seaboard. It was submitted May 17, 1912, and decision rendered by the Interstate Commerce Commission in favor of complainant.

Iowa and Southwestern Ry. Co. vs. C. B. & Q R. R.

Complaint has been filed in this case which affects through traffic arrangements but date for hearing has not yet been fixed.

EXPRESS RATES, RULES AND PRACTICES.

A general investigation was made by the Interstate Commerce Commission of express rates, rules and practices. The Iowa Commission appeared in the said case through the Commerce Counsel. Different protests were filed by Iowa shippers against existing conditions and rates, the

most important of which related to doubling the charge on shipments sent C. O. D. This was ordered changed by the Interstate Commerce Commission.

The Interstate Commerce Commission rendered an epoch-making decision, completely overhauling the entire express rate structure in the country, and placing the same chiefly on a distance basis; also the commission has abolished many of the abuses and wrong practices that have been grown up about this business.

TRANSCONTINENTAL RATES.

The Iowa Railroad Commission, through the Commerce Counsel intervened in the case of the suspension of certain tariffs raising and readjusting transcontinental rates. Case has been submitted and is now pending.

WEIGHING OF FREIGHT BY CARRIERS.

The state of Iowa has been represented by the Commerce Counsel at a number of hearings in the matter of investigation of alleged irregularities and discrepencies in the weighing of freight by the carriers. Other hearings will be held in the near future.

CEMENT RATES.

This case affected the rates on cement from producing points to Eddyville, Iowa. The matter was adjusted by the department of the Commerce Counsel with the railway company without the necessity of a formal complaint to the Interstate Commerce Commission.

LUMBER RATES.

Complaint was made in regard to rates on lumber from southern producing points to certain Iowa cities on the C. R. I. & P. Some of the rates have already been adjusted by the railway company, and others are in the process of adjustment, which, if consummated, will remove the necessity to bring formal complaint before the Interstate Commerce Commission.

COFFIN STOCK CASE.

State of Iowa vs. Railway Companies. This case affected rates on coffin stock. On August 30, 1912, complaint was filed with the Interstate Commerce Commission. Hearing was held at Des Moines December 16, 1912. Decision is pending.

CAR FACILITIES.

During the present winter months the commission has received numerous complaints regarding shortage of cars for shipment of grain, livestock, etc., principally regarding shortage of grain cars.

On January 14, 1913, the Farmers' Grain Dealers' Association of Iowa, by R. H. McVicker, secretary, Eagle Grove, Iowa, filed a petition requesting a formal hearing upon the question as to what is an equitable distribution of cars during times of stringency. The board named February 4, 1913, in their offices at Des Moines as time and place for the hearing, and accordingly, all interested parties were so notified.

The case of the Western Grain Dealers' Association, by Geo. A. Wells, secretary, Des Moines, Iowa, regarding shortage of cars for grain shipments, was set for hearing at the same time.

At the conference a large number of interested grain dealers and managers of farmers' elevator companies testified as to the conditions existing in the state. The representatives of the carriers also submitted their testimony to the commission. The hearing was concluded on February 5th. Ninety-two appearances were made.

As practically all of the shipments concerned were interstate, the commission announced at the close of the hearing that the Commerce Counsel would be instructed to present the matter to the Interstate Commerce Commission for both the complainants in the case; also that an abstract of the testimony offered at the hearing before this board would be prepared and presented to the Interstate Commerce Commission. Facts are now being prepared by the Commerce Counsel for presentation as ordered by the Iowa Commission.

IMPORTANT INTRA-STATE CASES.

SANBORN RATE CASE.

At a conference of several state railroad commissions at Lincoln, Neb., on August 30, 1911, it was decided to file a brief before the supreme court of the United States, as *amici curise*, opposing several of the positions taken by Judge Sanborn in the decision in the Minnesota rate cases. This decision directly imperils the powers and usefulness of state commissions in fixing rates of common carriers.

On September 7, 1911, the Iowa Commission decided to join with the several states in preparing such a brief, in as much as the coal rates fixed by the commission were enjoined by the United States circuit court, on application of the railroad companies, and further action in this case was withheld, awaiting decision in the Minnesota case.

A member of the Iowa commission was chosen chairman of the committee to prepare and file the brief for the eight state commissions. Representatives of the commissions prepared the brief at Des Moines, under the direction of the chairman of the committee. The commerce counsel took active part in all consultations.

The case is now pending before the supreme court of the United States.

Amongst the most important issues at stake in this case are the following:

First.—That an order of a state commission reducing rates which may affect a competitive rate outside of the state constitutes interference with interstate commerce such as to make it unconstitutional.

Second.—That seven per cent is a reasonable rate of return.

Third.—That a railroad is entitled to a return on the value of real estate multiplied by two or three.

Fourth.—That expenses should be distributed between state and interstate traffic on a revenue basis.

Fifth.—That values should be distributed between state and interstate traffic on a revenue basis.

Sixth.—Value, new (and not present value), is the correct basis.

Several of these issues will affect many millions of dollars in the valuation of Iowa railroads. The supreme court of the United States has held repeatedly during the past two years that the volume of the railroads is the basis of all computations as to reasonableness of rates.

INTRASTATE CASES HANDLED BY COMMERCE COUNSEL.

SWITCHING CASE.

The Iowa State Manufacturers' Association, Des Moines branch, by G. A. Wrightman, secretary, filed with the board an applicaiton requesting establishment of reasonable maximum rates for switching services and a definition of industrial vicinity of Des Moines, Iowa.

The Commercial Club of Cedar Rapids, by H. F. Sundberg, traffic manager, filed a similar application regarding switching services at Cedar Rapids, and the Clinton Manufacturers' and Shippers' Association, by M. D. Smiley, secretary, filed an application for such an order to apply at Clinton, Iowa. After several hearings, these cases were submitted to the commission on July 16, 1912.

While these cases were pending before the commission the carriers advanced the rates for industrial switching services throughout the state. The rates named in these tariffs were voluntarily withdrawn by the carriers on request of the commission, until decision was reached in these switching cases.

On January 14, 1913, the commission rendered decision in the Des Moines case, in which the jurisdiction of the commission was considered. The opinion also defines switching service, industrial switching, joint industrial switching and industrial vicinity. A reasonable maximum charge for industrial switching service was found to be 3-4 cents per hundred pounds, actual weight, subject to a minimum charge of four dollars per car for a haul of three miles, or less, and $5.00 a car for a haul over three miles.

The reasonable maximum charge for a joint industrial switching service was found to be the same as described for industrial switching, for the originating road. If this service is performed by two carriers, the terminating line shall receive not to exceed $3.00 per car, and if the service is over three or more lines, the maximum charge for the intermediate carriers shall be $2.00 per car.

The opinions in the Cedar Rapids and Clinton cases, applied the findings in the Des Moines case.

The carriers were expected to comply with the findings of the commission within 36 days from the date of the order, and at this time the companies are filing tariffs complying with the opinion of the board.

LIVE STOCK CASE.

The Corn Belt Meat Producers' Association, by their president and secretary, filed a letter with the commission on May 4, 1911, requesting that a date be set for hearing on Index No. 10, supplement No. 7, to Iowa Classification No. 14, which provides for the continuation for the exception to Rule 35, that 51 feet be the standard length of cars for the shipment of live stock in the state of Iowa. This exception was to expire June 1, 1911.

After several hearings and a re-hearing, the commission rendered its opinion on September 3, 1912, finding reasonable requirements as to carload minimum weights to be as follows:

In 36 ft. cars.	To-day.
Hogs	16,000
Stock cattle	20,000
Fat cattle	22,000
Sheep, single deck	10,000
Sheep, double deck	19,000

And when cars of smaller dimensions than 36 ft. in length are furnished:

	To-day.
Fat cattle	20,000
Hogs	15,000

In accordance with these findings, supplement No. 10 was issued and became effective on October 7, 1912.

Track Connections—Lake Mills, Iowa—Case of N. H. Corland et al., Lake Mills, Iowa, vs. M. & St. L. and C. & N.-W.

Made personal investigation on July 13, 1912. Believing board not justified in ordering track connections, the papers were returned to the board and case recommended for dismissal without prejudice on December 21, 1912. Papers again received from the board on February 10, 1913, as complainant insists upon a hearing.

Drainage at Truro, Iowa—Case of A. F. Mitchell, Truro Iowa, vs. C., B. & Q.

As complainants failed to reply to correspondence, case was returned to the board on June 25, 1912, recommending dismissal.

Drainage near Mingo, Iowa—Case of W. M. Boyd, Colfax, Iowa, vs. C. G. W.

Premises were investigated on July 5, 1912. On August 3, 1912, papers were returned to the board recommending dismissal as railway company agreed to take care of drainage.

Track Connections at Hawarden, Iowa—Case of Akron Milling Co., Akron, Iowa, vs. C. & N.-W. and C., M. & St. P.

Personal investigation made by commerce counsel on July 19, 1912. Formal petition was filed with the board on November 11, 1912, and hearing was had on December 10, 1912. Papers now with commission and case pending.

Train Service—Oakland, Iowa—Citizens of Oakland, Iowa, vs. C., R. I. & P.

This case in process of adjustment.

Station Service—Lamoni, Iowa—Lamoni Commercial Club, Lamoni, Iowa, vs. C., B. & Q.

No reply to letters written complainant and on December 2, 1912, papers were returned to the commission, recommending dismissal, without prejudice.

Drainage—Carson, Iowa—S. A. Talbot, et al., Carson, vs. C., R. I. & P.

Papers were returned to commisison on June 25, 1912, with recommendation of dismissal, as complainants failed to reply to letters.

Station Service—Eldora, Iowa—C. L. Hays, et al., Eldora, Iowa, vs. Iowa Central Railway.

As conditions complained of have been satisfactorily adjusted by railway company, papers were returned to commission February 17, 1912, recommending dismissal.

Condition of Crossings—Rembrandt, Iowa—Patrick Clancy, Rembrandt, Iowa, vs. M. & St. P.

Personal investigation made by commerce counsel July 17, 1912. As suggested by the commerce counsel proceedings were begun by the county attorney. On October 24, 1912, papers returned to commission recommending dismissal.

Crossing Highway—Eldora, Iowa—C. L. Hays, Eldora, Iowa, vs. Iowa Central Railway.

Commerce counsel personally investigated premises July 12, 1912.

Matter pending action of railway company in regard to realignment of tracks.

Crossing near Summit, Iowa—H. I. Foskett, et al., Shenandoah, Iowa, vs. Wabash Railroad Company.

Personal investigation made by commerce counsel on November 14, 1912, who visited premises and investigated conditions. Suggestions of the commerce counsel's department for undergrade crossings adopted by the railway company and complainants. Papers returned to commission suggesting dismissal January 25, 1913.

Depot Service—Riverside, Iowa—F. L. Kern, Riverside, Iowa, vs. C., R. I. & P.

Personal investigation made by commerce counsel on July 29, 1912. Railway company enlarged depot to accommodate passengers on suggestion of commerce counsel's department. Papers returned to commission November 11, 1913, recommending dismissal.

Track Connections—Manson, Iowa—M. W. Fitz, et al., Manson, Iowa, vs. C., R. I. & P.

Personal investigation made by commerce counsel on July 17, 1912. Formal petition filed with commission November 11, 1912, and date set for hearing December 17, 1912. Case now pending.

Track Connections—Council Bluffs—Droge Elevator Company, Council Bluffs, Iowa, vs. C. & N.-W. and C. G. W.

The commerce counsel personally investigated conditions on August 5, 1912. Cause of complaint removed by General Manager Slifer writing that track connection will be built, and papers returned August 10, 1912, suggesting dismissal.

Train Service—Carney, Iowa—A. R. Morris, Des Moines, for Citizens of Carney, Iowa, vs. C. & N.-W.

Papers were returned to commission on June 25, 1912, as complainants did not reply to letters.

Station Service—Rossville—H. H. H. Larson, et al., Maud, Ia., vs. C. M. & St. P.

Commerce counsel personally investigated conditions on July 8, 1912. Believed that company should build shelter for passengers. Papers returned to commission on August 13, 1912, as attorney has filed formal complaint in the matter.

Station Service at Moningers, Iowa—F. E. Northrup, Marshalltown, Iowa, for Citizens of Marshall County vs. Iowa Central Railroad Company.

As complainants failed to answer correspondence, papers returned to the board on June 25, 1912, recommending dismissal without prejudice.

Train Service on Elkader Branch—Robert Rienow, et al., Elkader, Iowa, vs. C., M. & St. P.

Papers in hands of commission concerning train service on Elkader branch and station service at Beulah Junction.

Track Connections at Atwood—E. H. Emery & Co., Ottumwa, Iowa, vs. C. & N.-W. and C., R. I. & P.

As there was not sufficient showing why railroad companies should make connections, papers returned to the railroad commission recommending dismissal on February 16, 1912.

Station Service at Bailey, Iowa—J. J. Carter, et al., Bailey, Iowa, vs. C. G. W.

Commerce counsel made personal investigation of conditions on July 10, 1912. Although deeds granting right of way and station grounds stipulate that station must be located on section 22, which would protect the people against the station being closed, yet the board is not justified in making order. Papers returned July 24, 1912, recommending dismissal.

Train Service at Hardy, Iowa—J. W. Hansell, Hardy, Iowa, vs. C., R. I. & P.

The railroad company accedes to wishes of petitioners and papers returned to commission on July 25, 1912.

Dangerous Highway Crossing at Berwick—O. J. Perdue, et al., Berwick, Iowa, vs. C. B. & Q.

Commerce counsel department suggested that railway company make Beacon a flag stop. Company agreed to do so if commission expressly urged; papers then turned over to commission on August 12, 1912.

Industry Track to Smith Brick Yard—Reliance Brick & Tile Co., Belle Plaine, Iowa, vs. C. & N.-W.

As complainants adjusted the matter with the railway company, the papers in this case were returned to the board on February 17, 1912, with the recommendation that case be dismissed.

Condition of Stock Yards—J. E. Vanderzyl & Co., Leighton, Iowa, vs. C., R. I. & P.

Personal investigation made by the commerce counsel on July 2, 1912. Case satisfactorily adjusted and papers returned to the commission on December 28, 1912.

Relocation of Station Known as Coon Valley—Delbert R. Lang, Avon, Iowa, vs. C., B. & Q.

Elimination of 20-gallon Carriers—E. B. Highly Co., Mason City vs. C., M. & St. P.

Complainants withdrew complaint on September 3, 1912, and papers returned to commission recommending dismissal.

Dangerous Crossing—Waverly, Iowa—E. A. Schiefelbein, Waverly, Iowa, vs. C. G. W.

Personal investigation made by commerce counsel July 10, 1912, and on September 3, 1912, papers returned with recommendation that case be dismissed as railroad company agreed to make arrangements to protect crossing.

Grain Dump—Modale, Iowa—Wallace Bros., Modale, Iowa, vs. C. & N.-W.

Commerce counsel made personal investigation on July 20, 1912. As the railway company failed to adjust the matter as suggested, formal complaint filed September 4, 1912. Hearing set for December 10, 1912, and continued until January term.

Union Station at Gridley, Iowa—A. Foote, et al., Parkersburg, Iowa, vs. C., R. I. & P. and C. & N.-W.

Personal investigation made by commerce counsel on July 15, 1912. Papers returned to commission on July 24, 1912, recommending dismissal as it was believed the board would not be justified in ordering the station.

Elevator at Mondamin—Wallace Bros., Modale, Iowa, vs. C. & N.-W.

Commerce counsel personally investigated this case; as the railway company failed to adjust the case as suggested, formal complaint was filed with the board and hearing set for December 10, 1912; continued until January term.

Industrial Track—Lewis, Iowa—W. Theo. Woodward, Lewis, Iowa, vs. C., R. I. & P.

Papers were returned to commission on March 29, 1912, as the commission has no power to compel a railroad company to build an industrial track. Case therefore recommended for dismissal.

Depot—Winterset, Iowa.

A personal investigation of conditions was made by the commerce counsel on May 31, 1912, and papers returned to commission with report.

Crossing—Churchville, Iowa—W. J. McLaughlin, et al., Churchville, Iowa, vs. C. G. W.

Personal investigation made by commerce counsel July 3, 1913.

Train Service to Forest City—M. McDermott, Buffalo Center, Iowa, vs. C., R. I. & P.

On March 16, 1912, papers were returned to board. Case satisfactorily adjusted and closed August 10, 1912.

Agent—J. B. DeBolt, et al., Tuskeego, Iowa, vs. C., B. Q. The commerce counsel believes the railroad commission was not justified in making an order on this case. Papers finally returned to commission August 13, 1912.

Bridge Piling—Fort Madison, Iowa—W. J. R. Beck, Fort Madison, Iowa, vs. C., B. & Q.

Complainant failed to answer letters and papers returned to commission suggesting dismissal.

Establishment of Depot—Carl A. Olson, et al., Neila, Iowa, vs. C., R. I. & P.

Believing there was no necessity for the establishment of a depot and agent, the office of the commerce counsel returned to the commission the papers in this case on March 29, 1912, and recommended its dismissal.

Notice to Vacate—J. C. McMeekin, Ewart, Iowa, vs. M. & St. L.

Commerce counsel visited premises on July 1, 1912. Recommended that Mr. McMeekin should be permitted to use grounds if he required buildings which were not fit for use; complainant failed to do this. Papers returned to commission recommending dismissal December 17, 1912.

Dangerous Highway—W. J. Steckle, Bloomfield, Iowa, vs. C., B. & Q.

Personal investigation made July 31, 1912. Found the grade high, and unless the highway is graded, a warning bell would be about the only remedy.

Train Service—Alden, Iowa—L. W. Dayton, et al., Alden, Iowa, vs. C. & N.-W.

Complainants failed to answer correspondence, so on June 25, 1912, papers were returned to commission recommending dismissal.

Private Crossing—Fort Dodge—C. O. Swanson, by Kelleher & O'Connor, Fort Dodge, Iowa, vs. Ft. D., D. M. & S. Ry. Co.

Papers were returned to commission and case recommended for dismissal, as Mr. Swanson has a contract which the board cannot enforce; neither does it have authority to order the crossing.

Cattle Pass at Center Point—H. C. Ring, Cedar Rapids, Iowa, for Mrs. Ella Wilson, Center Point, Iowa, vs. C., R. I. & P.

As board has no power to endorse order for pass, the papers were returned to commission, July 24, 1912, recommending dismissal of case.

Track Facilities, A. N. & S.—E. S. Harlan, Receiver, vs. A. N. & S.

Action in this case is deferred until status of road is determined.

Station Facilities—Mornside, Iowa—Citizens of Mornside, Iowa, vs. C., M. & St. P.

Personal investigation of the case made by the commerce counsel on July 18, 1912. Request of petitioners granted by railway company.

Refusal to Accept Shipment—Feiner Fish Co., Clinton, Iowa, vs. Iowa & Illinois Railway Company.

Insufficient cause for complaint shown, to warrant order, papers returned to commission February 2 ,1912.

Closing of Private Crossing—Edward Downey, Breda, Iowa, for Geo. Nedemeyer, Charter Oak, Iowa, vs. C., M. & St. P.

Matter suspended at wish of complainant and states February 15, 1912, that he did not wish to carry the matter further, so papers returned to commission.

Abandonment of Willett Siding—Wm. H. Plumer, Dumfires, Iowa, vs. Illinois Central.

Papers were returned to commission on June 27, 1912, recommending dismissal of case as complainants do not reply to correspondence.

Transferring Passengers at Conway Crossing—Frank Greeley, Iowa, vs. C., B. & Q.

The request of the petitioners in this case was granted.

Closed Depot—W. H. Scot, et al., Middletown, Iowa, vs. C., B. & Q.

This case is pending personal investigation.

Crossing—Whitten, Iowa—Joe Baker, Whitten, Iowa, vs. C. & N.-W.

Crossing furnished by the railroad company and case ready for dismissal September 3, 1912.

Depot—Ritter, Iowa—Farmers' Elevator Co., Ritter, Iowa, by P. J. Baedte, vs. C., St. P., M. & O.

Commerce counsel personally investigated this case as to conditions on July 18, 1912. On November 11, 1912, formal petition was filed with the board. Case now pending.

Passenger Service—Cromwell—Citizens of Cromwell, Iowa, vs. C., B. & Q.

Formal petition was prepared and filed with the commission in this case on September 5, 1912. Hearing had on December 10, 1912. Case now pending.

Obstruction of Tracks on M. C. & C. L. Ry. Co.—Colby Motor Car Co., Mason City, Iowa, vs. C., R. I. & P.

A personal investigation of the premises was made by the commerce counsel on July 12, 1912. Cause for complaint removed and papers returned to the commission on September 9, 1912.

Agent—Nashville, Iowa—J. A. Halley, Nashville, Iowa, vs. C. & N.-W.

Complainant closed case on July 6, 1912.

Diversion of Hay—Davenport Flour, Feed & Commission Co., Davenport, Iowa, vs. C., M. St. P.

Believing that railroad company was entitled to make a diversion charge on hay, the papers were returned to the commission June 25, 1912, and case recommended for dismissal.

Stopping on Flag.—F. D. Curtright, Rhodes, Iowa, vs. C., M. & St. P.

Found that station has adequate service, so papers returned and case recommended for dismissal September 4, 1912.

Train Service from Council Bluffs—C. K. Hessee, et al., Little Sioux, Iowa, vs. C. & N.-W.

Service provided as petitioned and papers returned to commission December 17, 1912.

Additional Train Service.—W. H. Peake, et al., McPherson, Iowa, vs. C., B. & Q.

Formal petition in this case filed with the board and case heard on December 10, 1912. Case now pending.

Switching from Gypsum, Iowa—Western Coal Mining Co., Fort Dodge, Iowa, vs. C. G. W.

Formal petition filed with the board September 18, 1912. Hearing set for December 10, 1912, and case now pending.

Switching—Illinois Central—Waterloo Varnish Co. vs. Ill. Cent. R. R.

The railroad company included complainants in their industrial switching tariff.

Telephone in Station—Prairie City—Thos. E. Johns, Prairie City, Iowa, vs. C., R. I. & P.

The complainant in this case referred to a contract. On August 10, 1912, the papers were returned to the commission with the suggestion that the contract in question be investigated.

Loading Facilities at Laddsdale—A. Christy, Eldon, Iowa, vs. C., R. I. & P.

Complaint settled in this case and papers returned to commission July 20, 1912.

Crossing—Callender, Iowa—Ole Ellofson, Callender, Iowa, vs. M. & St. L.

Complaint satisfactorily adjusted and case recommended for dismissal August 18, 1912.

Culvert, Spring Hill, Iowa—J. R. Brewbaker, Spring Hill, Iowa, vs. C., R. I. & P.

Matter satisfactorily adjusted.

Elevator Side, Blencoe, Iowa—J. T. Atkinson, Blencoe, Iowa, vs. C. & N.-W.

Personal investigation made by the commerce counsel on July 20, 1912. Matter satisfactorily adjusted by railway company putting in track to elevator company's plant.

Elevator Site at Jesup—C. J. Rudloph, Waterloo, Iowa, vs. Illinois Central.

The railway company in this case declines request. Case pending per sonal investigation.

Train Service—Des Moines—E. M. Steer, Des Moines, Iowa, vs. C., B. & Q.

Papers in this case were returned to commission on August 26, 1912, as passenger service on freight trains could not be granted.

Train Service—Oskaloosa, Iowa—Underwood Candy Co., Oskaloosa, Iowa, vs. C. & N.-W.

In this case it was found the board would have no authority to make an order that would give relief in this case, so papers were returned to the commission on November 2, 1912, recommending dismissal.

Depot and Train Service—Linby, Iowa—F. R. Campbell vs. C., B. & Q.

Commerce counsel personally investigated condition on July 30, 1912. Formal petition prepared and filed with commission on September 5, 1912, and hearing was held on December 10, 1912. Case now pending.

Crossing—Harlan, Iowa—Chas. A. Reynolds, Harlan, Iowa, vs. C. G. W.

This case was personally investigated by the commerce counsel on August 6, 1912, and found a steep up-grade in highway from the railway crossing. This embankment should be removed. The railway company has agreed to investigate the matter and report.

Stations—Pacific Junction—Pacific Junction Commercial Club vs. C., B. & Q.

Conditions in this case were personally investigated by the commerce counsel on August 7, 1912. Upon his suggestion the railway company has agreed to install annunciator.

Crossing—Pisgah, Iowa—J. B. Swain, Pisgah, Iowa, vs. C., N. & W.

Papers in this case were returned to the commisison on September 7, 1912, recommending dismissal as board does not have the power to compel construction of the crossing requested.

Station and Side-track Facilities—W. S. Hart, Waukon, Iowa, vs. C., M. & St. P.

On July 9, 1912, visited Rossville and Waukon. Papers returned to commission on August 13, 1912, inasmuch as W. S. Hart has been retained as attorney for petitioners and had subsequently filed formal petition.

Fence—Massena, Iowa—W. H. Langworth & Co., Massena, vs. C., B. & Q.

Railway company agreed to build fence as suggested by commerce counsel's department and papers returned to commission December 2, 1912, recommending dismissal.

Stopping Trains—Delaware, Iowa—W. C. Kirchheck, et al., Delaware, Iowa, vs. Ill. Cent.

As the board has no authority to make an order in this case, the papers were returned to the commission on November 6, 1912.

Crossing—Beacon, Iowa—Citizens of Beacon, Iowa, vs. C., B. & Q.

While on other business, the commerce counsel made investigations on this case June 10, 1912. He found a steep grade caused by railway company making cut at crossing. Crossing considered dangerous and earth should be removed to make it safer. Case now pending.

Stopping Train—Dedham, Iowa—J. B. Dopheide, et al., Dedham, Iowa, vs. C., M. & St. P.

This case involves the question as to the right of the board to order interstate fast trains to stop. Case pending.

Train Service—Toledo, Radcliffe, Iowa—E. L. Beared, Tama, Iowa, for Citizens of Toledo, Iowa, Radcliffe, Iowa, etc., vs. C. & N.-W.

Case closed and papers returned to commission October 26, 1912.

Train Service—Lansing, Iowa—J. W. Dempsey, Lansing, Iowa, vs. C., M. & St. P.

This case is now pending.

Abandonment of Station at Rubens—C. E. Brenton, Dallas Center, Iowa, vs. C., M. & St. P.

Hearing on this case was held in the office of the commission on November 8, 1912. To be continued at later date.

Passenger Fares—Clive, Iowa—E. F. Biddle, Clive, Iowa, vs. C., M. & St. P.

This case involved fractions not known in law in reference to passenger fares, consequently petition of complainants could ot be grated. Papers returned to commission October 24, 1912, recommending dismissal of case.

Elevator Site—Modale, Iowa—Independent Grain Co., Modale, Iowa, vs. C. & N.-W.

The wording of the application in this case changed, so papers were returned to commission with suggestion that board take the matter up with the railway company.

Crossing at Lawler, Iowa.—John Donovan, Lawler, Iowa, vs. C., M. & St. P.

After considerable correspondence this case, the railway company agreed to personally investigate conditions in the spring.

Application for Station—allas—J. W. Brillhart, et al., Dallas, Iowa, vs. C., R. I. & P.

Matter adjusted by railway company agreeing to call station Dallas, and papers returned to commission on January 30, 1912.

Trees along Right of Way—John Gorst, Alton, Iowa, vs. C., St. P., M. & O.

As board has no authority to compel the cutting of trees along the right of way, papers were returned to commission on November 4, 1912.

Train Service at Cresco, Iowa—F. A. Huber, et al., Cresco, Iowa, vs. C., M. & St. P.

This case is pending.

Switching—Montezuma, Iowa—King-Read Lumber Co., Montezuma, Iowa, vs. M. & St. L.

A formal petition was filed with the board in this case on November 12, 1912, and hearing had on December 10, 1912. Upon request of the petitioners the case was continued until January term, and on January 10, 1912, advice was received from complainant that the case was satisfactorily adjusted.

Train Service—Tyrons, Iowa—Miss McDonald, Tyrons, Iowa, vs. C., B. & Q.

This case is pending presentation to the board.

Refusal to Carry Passengers on Freight Trains—Trimble Bros., Omaha, Nebr., and C. H. Rhode, Waterloo, Iowa, vs. Railroads.

This case is pending investigation.

Overhead Bridge Crossing, Creston, Iowa—E. C. Smeltezr, Creston, Iowa, vs. C., B. & Q.

Personal investigation of this case was made on February 8, 1913. Case now pending.

Stopping Train on Flag—S. W. Flaherty, Olin, Iowa, vs. C., M. & St. P.

No action taken in this case as yet, pending further information from complainant.

Request for Flagman, or an Overhead Crossing—Harry K. Needham, et al., Avery, Iowa, vs. C., B. & Q.

Commerce counsel made personal investigation of this case on February 7, 1913. Case now pending.

Applications for Station and Siding—Citizens of Monti, Iowa, by Ney & Bradley, Iowa City, Iowa, vs. C., A. & N. Ry. Co.

After personally investigating this matter on January 28th and 29th, stopping at Anamosa in the office of the railway company to see blueprints, etc., commerce counsel filed formal complaint.

Depot at Zaneta, Iowa—A. L. Ames, et al., Zaneta, Iowa, vs. C. & N.-W.

This case is now pending.

Pullman Service—Davenport—Davenport Wagon Co., Davenport, Iowa, vs. C., R. I. & P.

Complaint in this case was withdrawn, so papers were returned to the commission on December 16, 1912.

Transfer Track—Winfield, Iowa—L. B. Pierce, et al., Winfield, Iowa, ve. C., B. & Q. and M. & St. L.

Case pending investigation.

Site for Ice House, Hull, Iowa—N. G. O. Coad, Hull, Iowa, vs. C., B. & Q.

The railroad company in this case feels justified in declining the application. Case now pending.

Stock Train Service—Donnellson, Iowa—Henry Lauth, Donnellson, Iowa, vs. C., B. & Q.

Case pending further information from complainant.

Refrigerator Car Service—Burlington—Lagomarcino-Crupe Co., Burlington, Iowa, v s.C., B. & Q.

This case is pending, on account of investigation.

Train Service—Lucas, Iowa—B. Frank Phillips, Lucas, Iowa, vs. C., B. & Q.

Case pending.

Failure to Switch Cars to Factory—Iowa Tank & Silo Co., Waterloo, Iowa, vs. W., C. F. & N.

Matter was satisfactorily adjusted as per the suggestions of the commerce counsel's department and papers returned to commission February 5, 1913.

Shortage of Cars for Grain Shipments—Western Grain Dealers' Association, by Geo. A. Wells, Secretary, Des Moines, Iowa, vs. railroads.

A hearing was had in this case on February 4, 1913. Case to be presented to Interstate Commerce Commission.

Train Connections—Cedar Rapids, Iowa—F. S. Jackson, Cedar Rapids, Iowa, vs. Illinois Central

This case is pending

Excessive Passenger Fares—J. H. Scott, Mediapolis, Iowa, vs. C., R. I. & P.

The department of the commerce counsel was of the opinion that the board would not be justified in granting the request of the complainant; papers were therefore returned at complainant's request as he did not insist on submitting the matter to the commission.

Refusal of C. G. W. to Make Through Rates with Iowa Northern Ry.—S. C. Durant, President, Iowa, Northern Ry., Dyersville, Iowa, vs. C. G. W.

The papers in this case were referred to the commerce counsel with instructions to make an adjustment if possible, otherwise to present the matter to the Interstate Commerce Commission. Case now pending.

Minimum Charge on Small Shipments—T. M. Simmons, G. F. A., C., R. I. & P.

Recommended this case for dismissal to the board on August 7, 1912.

Classification on Cucumbers on Brine—Burlington Vinegar & Pickle Works.

Case submitted on October 3, 1911.

Classification on Confectionery and Candy—National Confectioners' Association.

Papers submitted before the board of October 3, 1911; case continued until classification hearing on October 3, 1912; to be continued until April, 1913, hearing.

Classification of Concrete Machinery—Iowa Concrete & Machinery Co., Waterloo, Iowa.

This case was submitted to the board on October 3, 1911.

Application for Western Classification Rule—W. E. Pendergast, A. G. P. A., M. & St. P.

This was an application for Western Classification rule referring to equalization of mileage on empty tank cars. Case submitted to the board on October 3, 1911.

Shipments in Tank Cars—H. E. Pierpont, G. F. A., C., M. & St. P.

This concerned the application of W. H. Hosmer's I. C. C. A-172, regarding shipments in tank cars; amendment to Rule 6-A of Iowa Classification No. 14. Case dismissed on August 12, 1912.

Shipments of Petroleum—H. E. Pierpont, G. F. A., C., M. & St. P.

Concerning application of Item 88, Supplement 6, Western Classification No. 46, regarding petroleum, except crude and fuel oil. Submitted to the board on October 3, 1911.

Switching Regulations and Rules—G. A. Wrightman, Secretary Iowa State Manufacturers' Association, Des Moines, Iowa.

Case submitted to board October 3, 1911.

Switching Charges—Consumers' Ice Co., Des Moines, Iowa.

This case was heard in connection with the switching case. Closed.

Reduced Rating on Broken Stone—Iowa State Quarryman's Association, by J. W. Burroughs, Marshalltown, Iowa.

Case submitted to board on October 3, 1911.

Reduced Rating on Screenings and Stone Dust—Iowa State Quarryman's Association, by J. W. Burroughs, Marshalltown, Iowa.

Case submitted to the board on October 3, 1911.

Cancellation of Rule Relating to Eggs in Wooden Cases—C. & N.-W Ry. Co., et al., by Jas. C. Davis, Des Moines.

Case submitted to the board on October 3, 1911.

Reduced Classification on Cucumbers in Brine—Burlington Vinegar & Pickle Works.

Case submitted to the board on October 3, 1911, was continued and again submitted on October 3, 1912.

Application for Change in Rates on Grain—Greater Des Moines Committee, by E. G. Wylie.

Case involved application for change in commodity rates on grain. Sent to board on August 7, 1911, recommending dismissal, as complainant did not desire matter brought to an issue at that time.

Reduced rate on Arsenate of Lead—Shermin-Williams Co., Cleveland, Ohio.

Case submitted at classification hearing on October 3, 1911.

Application for Amendment to Commodity Rates—A. W. Dawler, of the U. S. Gypsum Co., Chicago.

This was submitted to the board on October 3, 1911.

Gasoline Engines and Air Compressors—Greater Des Moines Committee, by E. G. Wylie.

Case submitted to the board on October 3, 1911.
Iowa Intrastate Rates.—G. A. Wrightman, Des Moines.

Case involved application for change in Iowa intrastate rates. Closed.

Classification on Coffee in Burlap Bags.—Woolson Spice Co., Toledo, Ohio.

The matter of reduced classification on coffee in burlap bags with water-proof linings was submitttd to the board of October 3, 1911.
Local Iowa Shipments.—Iowa Board of Railroad Commissioners.

Involved amendment to Rule 36 of Iowa Classification No. 14, applying to W. T. L. circular to shipments locally within Iowa. On August 15, 1911, was delivered to commission for dismissal.
Ice Classification.—Consumers' Ice Co., Des Moines, Iowa.

Concerned reduced classification on ice. Case dismissed on September 27, 1911.

Classification on Fresh Meat—Iowa Board of Railroad Commissioners.

Case submitted to board on October 3, 1911.
Rating on Gasoline Engines, etc.—Wm. Galloway Co., Waterloo, Iowa.

Involved rating on gasoline engines and wood sawing outfits. Submitted to board Octobtr 3, 1911.

Iowa Local Rates from Dubuque—W. B. Martin of Dubuque Shippers' Association.

Concerns readjustment of Iowa local rates from Dubuque. By request of commission, delivered to secretary railroad commission on August 24, 1911.

Reduced Rating on Pepper, etc.—Tone Bros., Des Moines, Iowa.

Concerned rating (reduced) on pepper, pepper hulls, pepper substitutes or mixtures. Submitted to board on October 3, 1911; continued and again submitted on October 3, 1912; continued until April, 1913, hearing. Pending.

Reduced Rating on Boots, Shoes and Rubbers—Des Moines Rubber Co. and C. A. McCune Co., Des Moines, Iowa.

Case submitted to board of October 3, 1911; continued and again submitted on October 3, 1911; continued and again submitted on October 3, 1912; continued until April, 1913, hearing. Pending.

Classification on Soap in Boxes—Burlington Soap Co., Burlington, Iowa.

As complainant did not wish to continue the case, papers were returned to commission on August 2, 1911.

Reduced Classification on Cobblers' Outfits—D. J. Dalton. Chicago. Ill.

Case submitted to the board of October 3, 1911.

Classification on Metal Boxes—Advertising Novelty Co., Newton, Iowa.

Case submitted to the board on October 3, 1911.

Reduced Rating on Sweet Corn in the Husks—Waterloo Canning Corporation, Waterloo, Iowa.

This case was submitted to the board on October 3, 1911.

Reduced Rating on Platers—Parlin & Crendorff, Canton, Ill.

Case submitted to board on October 3, 1911.

Classification on Cottonseed Meal—Southern Cottonseed Meal & Feed Co., South Omaha, Nebr.

Submitted to board on October 3, 1911.

Classification on Brooms—Harrah & Stewart Manufacturing Co., Des Moines, Iowa.

Case involved classification on brooms in less than carload shipments. Papers returned to commission August 12, 1911, with recommendation of dismissal.

Transfer Charges—Carload Lots—Iowa Board of Railroad Commissioners.

Case involved transfer charges on carload lots, Rule 2, page VIII. Iowa Classification No. 14. Submitted to board October 3, 1911.

Rule 28 of Iowa Classification No. 14—Huber Manufacturing Company, Des Moines, Iowa.

This was in regard to freight consigned to shippers' orders; Rule 28 of Iowa Classification No. 14. Submitted to the board of October 3, 1911.

Drain Tile—Iowa Pipe & Tile Co., Des Moines, Iowa.

Exception to Rule 27, Iowa Classification No. 14, drain tile. Submitted to the board on October 3, 1911.

Classification on Coffee—McFadden Coffee & Spice Co., Dubuque, Iowa.

Concerned classification on coffee in burlap bags. Submitted to the board on October 3, 1911.

Transportation of Live Stock in Palace Cars—Iowa Board of Railroad Commissioners.

This was an application for cancellation of note on page 79, Iowa Classification No. 14, referring to live stock shipped in special or

Palace cars. Submitted to the board on October 3, 1911.

Mine Props—L. N. Cumming, Woodburn, Iowa.

Concerned classification on mine props. Submitted to board on October 3, 1911.

Demurrage Rules—Greater Des Moines Committee.

Involved application for revision of demurrage rules. Submitted to the board on October 3, 1911.

Culvert Cores—J. J. Marillat, Fairfield, Iowa.

Concerned classification on culvert cores. Submitted to the board on October 3, 1911.

Egg Fillers—Iowa Board of Railroad Commissioners.

In regard to classification on egg fillers. Submitted to the board on October 3, 1911.

Plate Iron Tanks—Iowa Board of Railroad Commissioners.

Classification on plate Iron tanks. Submitted to the board on October 3, 1911.

Carload Weights on Lumber—W. B. Martin, of Dubuque Shippers' Association, Dubuque, Iowa.

An application for amendment to classification on carload weights on lumber. Satisfactorily adjusted by the railway company on August 7, 1911. Case closed.

Tankage—Alfalfa Meal Co., Council Bluffs, Iowa.

Case involved application for change in classification on tankage. Papers returned to commission on August 21, 1911, Alfalfa Meal Co. having no further interests in the matter.

Minimums on Lime, Plaster and Stucco—Geo. L. McCaughan, Secretary, Iowa Railroad Commission.

This concerned the minimum on lime, plaster and stucco, note D, page VII, Iowa Classification No. 14. Submitted to the board on October 3, 1911.

Broom Holder—Advertising Novelty Co., Newton, Iowa.

In regard to classification on broom holder. Submitted to the board October 3, 1911.

Coal Rates—V. D. Vort, G. F. A., Ill. Cent. R. R.

This was a protest to the application of new coal rates to articles in Iowa Classification taking soft coal rates. Submitted to the board on October 3, 1911.

Cereals—E. C. Nettles, Battle Creek, Mich.

With reference to amendment to classification with reference to cereals. Submitted to the board on October 3, 1911.

Empty Oil Cases—Marshall Oil Co., Marshalltown, Iowa.

Application for amendment to classification providing for one-half fourth class rating on empty oil cases, less than carload. Submitted to the board on October 3, 1911.

Commodity Rates—Iowa Board of Railroad Commissioners.

Commodity rates applicable to each commodity in carload lots shown on pages 6 and 7, Iowa Classification No. 14, minimum weights. Submitted to board on October 3, 1911.

Return of Empty Packages—W. S. Martin, Dubuque, Iowa.

Request for change of Rule 18, of Iowa Classification No. 14, to conform to Rule 19 of Western Classification No. 49, regarding return of empty packages. Submitted to the board on October 3, 1911.

Switching Rate—Scandia Brick & Tile Company, Madrid, Iowa.

Case involved application for a switching rate. Papers now with commission; case pending.

Mixture of Hogs and Calves on Intra-state Shipments—G. A. Wrightman, Des Moines, Iowa.

This was an application to permit mixing of hogs and calves under six months old, in carloads on intra-state shipments. Submitted to the board on October 3, 1911; closed by order in Minimum Live Stock Case.

Empty Cracker Cans—John Biscuit Co., et al., Sioux City, Iowa.

Case concerned return of empty cracker cans. Submitted to the board October 3, 1911.

Rating on Mixed Carloads—Jno. Wunderlich, Secretary Commercial Club, Sioux City, Iowa.

Petition in this case was withdrawn.

Minimum Live Stock Car—Corn Belt Meat Producers' Association.

First hearing in this case held on July 12, 1911; continued, second hearing on November 15, 1911, and final hearing held on May 2, 1912. Favorable decision rendered.

Classification on Bone—Dry, etc.—C. L. Percival Co., Des Moines, Iowa.

Involved classification on bone—dry, not cracked or ground. Submitted to board on October 3, 1911.

Minimum Stock Cars—Thos. Dealtry, President Sioux City Live Stock Exchange. Matters in this case were included in the Minimum Live Stock Car case, described above.

Ovens—C. & N. W. Ry. Co., et al., by Jas. C. Davis.

This involved a change in classification on ovens. Submitted to the board on October 3, 1911.

Stoneware—C. & N.-W. Ry. Co., et al., by Jas. C. Davis.

This concerned change in the classification on stoneware. Submitted to the board on October 3, 1911.

Concrete Fence Post Cores—Angle-Iron Cement Fence Post Co., Cedar Rapids, Iowa.

This was in regard to the classification on concrete fence post cores. Submitted to the board on October 3, 1911.

Stoppage of Cars of Silos—H. C. Hargrove, Des Moines, Iowa.

This was in regard to the stoppage of cars of silos in transit to partly unload. Case submitted to the board on October 3, 1911.

Rate on Coke—Ottumwa Gas, Light, Heat & Power Co.

On September 9, 1912, papers were returned to the commission, recommending dismissal, as complainant stated the rate did not interest their company as they manufacture their own coke.

Disposition of Fractions in Joint Shipments—Walter E. Huncke, Des Moines, Iowa.

Case submitted to the board of October 3, 1911.

Classification of Eggs in Wooden Cases—C. & N. W. Ry. Co., et al., by Jas. C. Davis.

This was submitted to the board on October 3, 1911.

Rate on House Trimmings, etc.—Peter J. Seippel Lumber Co., Dubuque, Iowa.

Case submitted to the board on October 3, 1911.

Minimum Weight Gasoline Tractors—A. E. Bryan, with Heider Manufacturing Co., Carroll, Iowa.

Case submitted to board October 3, 1911.

Bridge Builders' Erection Outfits—J. S. Carpenter, Des Moines, Iowa.

This involved reduced classification on bridge builders' erection outfits. Submitted to the board on October 3, 1911.

Cylinder Piers—J. S. Carpenter, Des Moines, Iowa.

This concerned classification on cylinder piers. On August 14, 1911, papers were returned to the commission recommending dismissal.

Amendment to Joint Rate Order—Iowa Railroad Commission.

Case submitted to board on October 3, 1911.

Change in Classification on Sulphuric Acid—Fairmount Creamery Co., Omaha, Nebr.

Case submitted to board October 3, 1911.

Rating on Gypsum—Fort Dodge Shippers' Association, Fort Dodge, Iowa.

Submitted to board October 3, 1911, continued until April, 1913, hearing.

Apples—Haarman Vinegar & Pickle Co., Sioux City, Iowa.

Case submitted to board October 3, 1911.

Refrigerator Service—Lagomarcino-Grupe Co., Davenport, Iowa.

Case withdrawn by complainant on October 3, 1913.

Dried Beet Pulp—Larrow Milling Co., Detroit, Michigan.

Submitted to the board October 3, 1911.

Wooden Barrels, Old—Churchhill Drug Co., Burlington, Iowa.

Case submitted to board October 3, 1911.

Buttermilk in Tank Cars—John Thompson, Sioux City, Iowa.

Case submitted to board October 3, 1912; continued; case now pending.

Reduced Rating on Bluing—A. A. Dtsier & Co., Des Moines, Iowa.

Submitted to board on October 3, 1912, continued, pending.

Mixing of Hogs and Calves—Iowa State Manufacturers' Association, Des Moines, Iowa.

Submitted to board October 3, 1912.

Reduced Rating on Ammonia—A. A. Deiser & Co., Des Moines, Iowa.

Submitted to board on October 3, 1912; case continued; now pending.

Rating on Cupolas—Queen Cupalo Co., Cresco, Iowa.

Submitted to board on October 3, 1912.

Rating on Stoneware—Morey Clay Products Co., Ottumwa, Iowa.

Hearing was held before the board February 6, 1912; decision rendered favorable to complainants.

Rating on Dunnage—W. H. Town, International Harvester Co., Des Moines, Iowa.

Case submitted to board October 3, 1912; continued, pending.

Minimum Weight of Carload Lumber—Farmers' Lumber Co., Omaha, Nebr.

Case submitted to board October 3, 1912; continued; pending.

Classification of Baskets—C., R. I. & P. R. R. Co., et al.

This case was submitted to the board October 3, 1912; continued; pending.

Reduced Classification on Rough Castings and Steel Forgings—Ottumwa-Moline Engine & Pump Co., Ottumwa, Iowa.

Submitted to board October 3, 1912; continued; pending action of Interstate Commerce Commission on Western Classification No. 51.

Stove Pipe—Excelsion Steel Furnace Co., Chicago, Ill.

This case involved application for change on stove pipe. Submitted to board on October 3, 1912.

Eggs in Wooden Cases—W. B. Martin, Dubuque Shippers' Association, Dubuque, Iowa.

This case was withdrawn by complainant on October 4, 1912.

Fly Traps—Wagner Manufacturing Co., Cedar Falls, Iowa.

This case involved change in the classification of fly traps. Submitted to the board on October 3, 1912.

Motor Plows—H. F. Sundberg, Cedar Rapids, Iowa.

This was in regard to the classification of motor plows. Submitted to the board October 3, 1912; continued; pending.

Fresh Pork and Fresh Pork Tenderloins—C., R. I. & P. R. R. Co., et al.

Submitted to the board on October 3, 1912; continued; pending.

[illegible] Farm Scales with Agricultural Implements—Fairbanks, Morse & Co., Chicago, Ill.

This concerned an application to cancel the privilege of mixing farm scales with agricultural implements. Submitted to the board October 3, 1912.

Transportation of Dangerous Articles—C. & N.-W. Ry. Co., et al.

This case involved regulations for transportation of dangerous articles. Submitted to board on October 3, 1912.

Canned Fruit and Vegetables—E. H. Draper, T. M., Western Grocer Co., Marshalltown, Iowa, and Waterloo Canning Corporation, Waterloo, Iowa.

This involved an application for fifth class rates on canned fruits and vegetables in open boxes. Submitted to board October 3, 1912.

Muriate of Potash and Sulphate of Potash—German Kalo Works, New York City.

This concerned reduced rating on muriate of potash and sulphate of potash. Submitted to the board on October 3, 1912.

Waste Clam Shells—L. H. Hirsch & Co., New York City.

The classification of Waste Clam Shells was involved in this case.

Submitted to the board October 3, 1912.

Choice of Routes—C. L. Percival Co., Des Moines, Iowa.

Case was withdrawn by E. G. Wylie, who represented complainant, on October 3, 1912.

Rating on O. C. Rusks—Eerkes Van Der Maaten Co., Orange City, Iowa.

This concerned application for reduced rating on O. C. Rusks.

Submitted to board October 3, 1912.

Leaded Glass—U. N. Roberts, Davenport, Iowa.

This was an application for reduced rating on leaded glass. Submitted to the board October 3, 1911; continued; pending.

Mixed Car of Furniture and Go-Carts—Iowa State Manufacturers' Association, Des Moines, Iowa.

Case withdrawn on October 3, 1912, by complainants on the understanding that the railway company would follow plan.

Transfer Charges at Junction Points—W. E. Huncke, Iowa State Manufacturers' Association, Des Moines, Iowa.

Submitted to the board October 3, 1912; continued; pending.

Gasoline Engines—W. E. Huncke, for Iowa State Manufacturers' Association, Des Moines, Iowa.

Complaint withdrawn by complainant on September 20, 1912.

Classification on Cream Separators—Rock Island Plow Co., Rock Island, Ill.

Case submitted to Board October 3, 1912.

Grains and Seeds, Mixed—Commerce Counsel of Iowa for Iowa Shippers.

This involved a change in classification on grains and seeds, mixed. Submitted to the board on October 3, 1912; continued; pending.

Mill Stuffs—W. E. Huncke, for Iowa State Manufacturers' Association, Des Moines, Iowa.

The case of mill stuffs—what constitutes mill stuffs, was submitted to the board October 4, 1912.

Advance Charges on Shipment of Bottles—W. E. Huncke for Iowa State Manufacturers' Association, Des Moines, Iowa.

This was submitted to the board October 4, 1912; continued; pending.

Rates on Live Stock—Iowa Railroads.

The case of rates on live stock was submitted to the board October 4, 1912; continued; pending.

Returned Articles—Iowa Railroads.

This involved application for reduced rates on articles returned; was submitted to the board October 4, 1912; continued; and now pending.

Commodity Rates on Harness and Saddlery—Iowa Railroads.

This involved application to cancel commodity rates on harness and saddlery; submitted to the board on October 4, 1913.

Rating on Hand Sprayers—Geo. T. Bell, Sioux City, Iowa.

Case submitted to the board on October 4, 1912.

Lead Seal on Cigars.—Groneweg & Schoentgen Co., Council Bluffs, Iowa.

On October 4, 1912, this case was submitted to the board.

Change in Rating on Aluminum.—Aluminum Mfg. Co., Des Moines, Iowa.

Case submitted to the board on Oct. 4, 1912.

Auto Tires.—Goodyear Tire & Rubber Co., Akron, Ohio.

This case involved an application for change in rate on auto tires. Submitted to the board on October 4, 1912.

Rate of Stone.—W. S. Martin, Dubuque, Iowa.

Case submitted on October 4, 1912, to the board.

Classification on Chain Belting.—Peerless "V" Belt Co., Cedar Rapids, Iowa.

On October 4, 1912, the commerce counsel submitted this case to the board.

Bananas.—Lagomarcino-Grupe Co., Burlington, Iowa.

This case involved change in the classification on bananas, loaded loose in car. Submitted to board October 4, 1912.

Reduced Classification on Cherry Lumber.—J. K. & W. H. Gilcrest Co., Des Moines, Iowa.

On October 4, 1912, this case was submitted to the board.

Classification on Hosiery.—Western Weighing and Inspection Bureau.

Submitted this case to the board on October 4, 1912.

Reduced Classification on Roofing Tile.—Acme Roofing Tile Co., Des Moines, Iowa.

On October 4, 1912, this case was submitted to the board, continued; pending.

Tongued Agricultural Implement Truck.—W. E. Huncke, for the Iowa State Manufacturers Association, Des Moines, Iowa.

This concerned the classification on tongued agricultural implement trucks. Submitted to the board October 4, 1912.

Classification on Kilns.—W. E. Huncke, for Iowa State Manufacturers Association, Des Moines, Iowa.

Submitted to the board October 4, 1912.

Classification on Litter Carriers.—Louden Machinery Co., Fairfield, Iowa.

This case was submitted to the board on October 4, 1912; continued; pending.

Classification on Cattle Stanchions.—Louden Machinery Co., Fairfield, Iowa.

Submitted on October 4, 1912, to board; continued; pending.

Mixture of Agricultural Implements.—Louden Machinery Co., Fairfield, Iowa.

This concerned classification—mixture of agricultural implements, barn door hangers, etc. Submitted on October 4, 1912; continued; pending.

Excelsior.—Morris-Johnson-Brown Co., Dubuque, Iowa.

Application for reduced rate on excelsior. Petition filed with commission on November 11, 1912; case heard on December 10, 1912; pending.

Rates on Coke.—C. O. Dawson, Ottumwa, Iowa vs. Railroads.

Case now pending further advice from complainant.

Milling-in-transit Rates.—Iowa Millers' Club, Des Moines, Iowa.

This involved application for rate on milling-in-transit. Case now pending.

Rating on Culverts.—Ft. Dodge Culvert Co., by W. B. Martin, Dubuque.

Case involved reduction in rating on culverts. Papers received from the board instruction to negotiate with Western Classification committee; failing, to prosecute before Interstate Commerce Commission if advisable.

Dairy Products—Iced.—Des Moines Poultry & Butter Co., Des Moines, Iowa.

Case involved raise in minimum weights on dairy products, iced. Petition filed with Interstate Commerce Commission on January 13, 1913, asking that tariff be suspended; declined.

Agent—Pickering.—J. T. Malloy, Albion, Iowa, vs. Wells Fargo Express Co.

This case involved a request for an agent at Pickering. Papers were returned to the board on December 3, 1912, recommending dismissal, as it was the opinion of the commerce counsel that the board was not justified in making the order.

Refusal to Accept Shipments.—Feiner Fish Co., Clinton, Iowa, vs. U. S. Express Co.

This case involved refusal to accept shipments on certain billing. Case still pending, awaiting further information from complainant.

Claims.—Des Moines Poultry & Butter Co., Des Moines, Iowa.

Papers were returned to the board on February 20, 1913, at direction of complainant.

Switching Charge.—Central Lumber Co., Dubuque, Iowa.

Papers filed in this case were returned to commission on February 16, 1912, recommending dismissal.

Switching Charge.—W. H. Hoopes & Son, Muscatine, Iowa.

On February 17, 1912, papers in this case were returned to the commission recommending dismissal.

Excessive Charge.—W. H. Hoopes & Son, Muscatine, Iowa.

Papers were returned recommending dismissal to board on February 17, 1912.

SWitching Charges.—W. W. Wise, of Consumers' Ice Co., Des Moines, Iowa.

Case was withdrawn.

Demurrage.—H. L. Laird, Minneapolis, Minn.

It was the judgment of the Commerce Counsel that the question was not sufficiently adequate to present, so papers were returned to the board and case recommended for dismissal on February 19, 1912.

Overcharge.—John Deere Plow & Co., Omaha, Nebr.

Commerce Counsel returned papers to commission on February 19, 1912, according to request of complainants and recommended case for dismissal.

Demurrage.—John F. Keefner, Des Moines, Iowa.

It was the judgment of the Commerce Counsel in this case that the railroad company would not be required to enter into agreement with complainant, so papers were returned to board on May 5, 1912.

Switching Rates on Coal.—Des Moines Coal Co. vs. C. G. W.

This case was heard and submitted on November 28, 1911. Decision rendered by the board on December 20, 1911, in favor of complainants.

Cement Rates.—Eddyville Commercial Club, Eddyville, Iowa.

This case involved the question of discrimination on cement rates. Rates were adjusted and papers returned to commission on September 3, 1912.

Choice of Routes.—W. E. Huncke, for Iowa State Manufacturers' Association, Des Moines, Iowa.

Mr. Huncke withdrew the case on September 1, 1912.

Lumber Rates.—Tisdale Lumber Co., Ottumwa, Iowa, vs. C. R. I. & P.

On January 22, 1913, Commerce Counsel met representatives of the railway company in Chicago and presented the matter and was assured of a prompt disposition of the matter.

Car Service.—Iowa Bridge Co., Des Moines, Iowa, vs. C. B. & Q.

Case submitted to board for hearing on October 3, 1912; continued. Case now pending.

Increase in Passenger Rates.—G. W. E. Snyder, Belle Plaine, Iowa, vs. C. & N. W.

Papers were returned to the commission on October 24, 1912, recommending case for dismissal, as fractions are not known or recognized in passenger fares, thus making it impossible to grant petition of complainant.

Demurrage.—H. L. Laird, Minneapolis, Minn., vs. C. R. I. & P.

Papers returned to commission on September 28, 1912, recommending that no further action be taken thereon as this is a matter which can only be decided by the Interstate Commerce Commission.

Advance in Passenger Fares.—J. F. Bray, Sigourney, Iowa, vs. C. M. & St. P.

It was the opinion of the Commerce Counsel in this case that under the decisions of the supreme court, request of the complainant could not be granted. Papers returned to commission October 24, 1912.

Switching.—Iowa & Southern Ry. Co., vs. C. B. & Q.

Complaint filed with Interstate Commerce Commission December 19, 1912. Case now pending.

Overcharge for Switching Hogs.—J. E. Decker & Sons, Mason City, Iowa. vs. C. G. W.

Case now pending investigation.

Switching Charges.—F. E. Gill, Sioux City, Iowa, vs. Sioux City Terminal Co.

This case not closed, pending investigation.

Excessive Rate on Corn.—Free McCoy, Indianola, Iowa, vs. C. R. I. & P. Pending.

Condemnation for Depot Grounds.—Iowa Terminal Co. vs. Shaffer, et al.

No papers referred by the board in this case. The Commerce Counsel acted as attorney for defendants and filed objection of property owners.

Rates on Gasoline Engines.—Wm. Galloway Co., et al., Waterloo, Iowa.

Papers were returned to the commission on September 30, 1912, as it was asked by some of the complainants that the matter be taken up with the Interstate Commerce Commission.

Complaint as to Unsafe Track and Equipment.—W. H. Bird, Minneapolis, Minn., vs. Charles City & Western Railway Co.

Complaint was made as to track and equipment being unsafe. Same were examined and report made to the board July 25, 1912.

Private Crossing.—A. W. Baltimore, Aurelia, Iowa, vs. Ill. Cent.

The papers in this case were referred to the Commerce Counsel December 5, 1912. Matter taken up with the railway company and adjusted.

Switching Arrangements.

This involved the matter of switching arrangements by the Waterloo, Cedar Falls & Northern Ry. Co. to the Normal School at Cedar Falls.

Conferences were held, and case adjusted.

Closing Station.—Citizens of Herring.

Matter taken up with Railway Company and they advised that the station would not be closed. Papers returned to the board.

During the past biennial period, the commission has investigated and closed nine hundred ninety-seven (997) cases. This includes all formal and informal complaints settled by correspondence or otherwise.

THIRD READING OF BILLS.

On motion of Senator McColl, Senate File No. 265, a bill for an act providing for the deposit by state and savings banks with the treasurer of the United States of securities to secure postal savings deposits made in such banks under the provisions of the postal savings bank act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Further consideration of the bill postponed.

On motion of Senator Wilson of Clinton, Senate File No. 48, a bill for an act to repeal the law as it appears in section four hundred ten (410) and four hundred eleven (411) supplement to the code, 1907, and to enact a substitute therefor relating to the election, compensation, duties and terms of office of county supervisors, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson moved that the substitute for the original bill be adopted.

Adopted.

Senator Kimball offered the following amendment and moved its adoption:

I move to strike out all after the enacting clause and substituting the following in lieu thereof:

Section 1. That the law as it appears in section four hundred ten (410), Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

The board of supervisors in each county shall consist of three persons, except where the number may heretofore have been or hereafter be increased in the manner provided by this chapter, in which case such number shall not exceed five after the second secular day in the year 1917. They shall be qualified electors and each be a resident of a different supervisor district and be nominated and elected at large from their respective districts by the qualified voters of their respective counties. The board of supervisors of any county may, and when petitioned to do so by one-fourth of the electors of said county, shall submit to the qualified voters of the county, at any regular election, the following

proposition: "Shall the proposition to increase the number of supervisors to five be adopted?" If the majority of the votes cast shall be for the proposition so submitted, then, at the next ensuing election for a supervisor, the requisite additional supervisors shall be elected, whose terms of office shall be determined by lot, in such manner that one of the additional members shall hold his office for four years, and one for two years. In any county where the number of supervisors has been increased to five, the board of supervisors, on the petition of one-fourth of the legal voters of the county, shall submit to the qualified voters of the county, at any regular election, the following proposition: "Shall the proposition to reduce the number of supervisors to three be adopted?" If a majority of the votes cast shall be for the decrease, then the board of supervisors and the districts shall be reduced to the number indicated by such vote, and thereafter there shall be biennially elected the number requisite to fill the board.

Sec. 2. That the law as it appears in section four hundred eleven (411), Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

At the general election in 1914 there shall be elected in the same manner as their predecessors, supervisors to succeed those whose term expires in January following the election and the terms of office of all supervisors elected in 1912 and 1914 shall be extended to and shall expire on the second secular day of January, 1917. At the general election in the year 1916 there shall be elected according to the provisions of this act supervisors from the even numbered districts of each county for the short term of two years commencing on the second secular day in January, 1917, and supervisors from the odd numbered districts for the long term of four years commencing on the second secular day in January, 1817. At the general election in 1918, and biennially thereafter, supervisors shall be elected in each county as herein provided from the districts in which the term of the resident supervisor expires in January following the said election. The term of office of all supervisors elected after 1916, under the provisions of this act shall be four years and shall commence on the second secular day of January immediately following their election.

Sec. 3. That the law as it appears in section four hundred sixteen (416) of the Code as amended by chapter 22 of the laws of the Thirty-fourth General Assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

The board of supervisors shall at its regular meeting in January, 1916, or in any even numbered year thereafter may divide its county by townships into a number of supervisor districts corresponding to the number of supervisors to be elected at the next election in such county.

Sec. 4. That the law as it appears in section four hundred seventeen (417) of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

Such districts shall be as nearly equal in area and population as possible, and shall each embrace townships as nearly contiguous as practicable, each of which districts shall be entitled to one member of the board of supervisors to be nominated and elected by the electors of the whole of said county.

Sec. 5. That the law as it appears in section four hundred eighteen (418) of the Code, be and the same is hereby repealed and the following enacted in lieu thereof:

Before entering upon the discharge of the duties of his office, each member of the board of supervisors shall give a bond in the penal sum of five thousand dollars ($5,000.00) conditioned as provided in section eleven hundred eighty-three (1183) of the Code, the same to be approved by the clerk of the district court of the county and to be filed in the office of the said clerk.

Senator Sullivan moved that further consideration of the bill be postponed until Thursday morning at 10 o'clock, and made a special order for that time.

Carried.

The president announced that as president of the Senate in the presence of the Senate, he had signed House Files Nos. 1, 6, 66, 155, 189, 200, 384 and 552.

THIRD READING OF BILLS.

On motion of Senator Mattes, House File No. 293, a bill for an act to legalize the incorporation of Humboldt State Bank, Humboldt, Iowa, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Mattes moved the adoption of the following amendment:

By adding to section 1 the following: "Nothing in this act shall affect pending litigation."

Adopted.

Senator Mattes 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Doran, Dunnegan, Fellows, Francis, Garrett, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Allen, Cowles, Crist, Darrah, DeWolf, Farr, Gillette, Hagemann, Heald, Jewell, Savage, Thomas, Webber—13.

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

On motion of Senator Spaulding, House File No. 135, a bill for an act to amend the law as it appears in chapter sixty-four (64) of the acts of the Thirty-third (33rd) General Assembly, as amended by chapters fifty-two (52), fifty-four (54), and fifty-five (55) of the acts of the Thirty-fourth (34th) General Assembly relating to the government of certain cites, was taken up and considered.

Senator Spaulding moved that the report of the conference committee be adopted.

Adopted.

Senator Spaulding moved that the Senate concur in the following House amendments as recommended by the conference committee:

"Substitute for subdivisions one (1) and two (2) of section three (3) of the Senate substitute for said bill, on page 401 of the Senate Journal.

"'1. In cities having by the last preceding state or national census a population of less than 25,000, the mayor and councilmen shall receive as their annual salaries the amount to be fixed by ordinance, as follows:

"'For mayor, not to exceed the sum of one hundred fifty dollars ($150.00) per annum for each one thousand (1000) of population, or major portion thereof, in such city, and for each councilman in such city, not to exceed the sum of one hundred twenty dollars ($120.00) per annum for each one thousand (1000) population, or major portion thereof; provided, however, that in such city no mayor shall receive a salary greater than the sum of twenty-five hundred dollars ($2500.00) per annum, nor in such city shall a councilman receive as his annual salary an amount greater than two thousand dollars ($2000.00) per annum; and provided, further, that from and after the passage of this act, and during the first term of his office under the provisions of this act, the mayor and councilmen shall by ordinance fix their compensation as herein provided for their term of office.

"'But thereafter the salary of any such officer shall not be increased or decreased during the term for which he shall have been elected or appointed.'

"That subdivisions three (3), four (4) and five (5) of the Senate substitute be re-numbered accordingly."

On the question, "Shall the Senate concur in the House amendments and adopt and include in the bill the amendments to the bill as recommended by the conference committee?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, Crist, Crow, DeWolf, Garrett, Gillette, Hagemann, Heald, Jewell, Perkins, Savage, Schrup, Thomas, Webber—16.

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

On request of Senator Mattes, leave of absence was granted Senator Allen for the day.

On request of Senator Robinson, leave of absence was granted Senator Gillette for the day.

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

On request of Senator Wilson of Appanoose, leave of absence was granted Senator Hagemann for the day.

On request of Senator Arney, leave of absence was granted Senator Savage for the day.

On request of Senator Thomas, leave of absence was granted Senators Webber and Crist for the day.

THIRD READING OF BILLS.

On motion of Senator Balluff, Senate File No. 397, a bill for an act to make section eight hundred seven (807) of the code applicable to cities acting under special charter, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Balluff moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Cowles, Crist, DeWolf, Farr, Gillette, Hagemann, Heald, Jewell, Larrabee, Savage, Smith, Thomas, Webber—14.

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

On motion of Senator Boe, Senate File No. 211, a bill for an act to prohibit dances in the public high and grade schools or under the auspices of such schools or any organization or society thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Boe 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 ayes were:

Arney, Balkema, Boe, Darrah, Doran, Dunnegan, Farr, Francis, Garrett, Jones, Kimball, Larrabee, Legel, McColl, Neal, Nye, Perkins, Robinson, Sullivan, Taylor—20.

The nays were:

Ames, Balluff, Chase, Crow, Hilsinger, Malmberg, Mattes, McManus, Quigley, Schrup, Sheean, Smith, Spaulding, White, Wilson of Appanoose—15.

Absent or not voting:

Allen, Clarkson, Cowles, Crist, DeWolf, Fellows, Gillette, Hagemann, Heald, Jewell, Ream, Savage, Thomas, Webber, Wilson of Clinton—15.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Smith filed the following motion:

I move to reconsider the vote by which Senate File No. 211 failed to pass the Senate and by which the bill passed to its third reading.

THOS. H. SMITH.

On motion of Senator Ream, Senate File No. 309, a bill for an act to provide the method of constructing and operating gypsum mines, for escape shafts and for the ventilation of such mines, to provide for the inspection of the same by the state mine inspector, to require operators to report fatal accidents and to provide penalties for violation of this act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ream 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Allen, Cowles, Crist, Darrah, Gillette, Hagemann, Heald, Jewell, Savage, Webber—10.

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

On motion of Senator Thomas, Senate File No. 329, a bill for an act to establish a minimum wage for teachers in the public schools of the state, prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Thomas moved the adoption of the following amendments:

In part two (2) of section one (1) remove the period after the word "certificate" in line four (4) and add the words "up to and including a general average grade of eighty-five (85) per cent."

Adopted.

Senator Chase offered the following amendment and moved its adoption:

Add the following as section five (5): "Any teacher may waive in writing the provisions hereof and in such case section 4 hereof shall not apply."

Lost.

Senator Francis offered the following amendment and moved its adoption:

1. By striking from paragraph 1 of section 1 the words and figures "three (3)" and substituting therefor "two and three-quarters (2¾)".

2. Also by striking from paragraph 2 of said section the words and figures "two and three-quarters (2¾)" and substituting therefor "two and one-half (2½)".

3. Also by striking from paragraph 3 of said section, the words and figures "two and one-half (2½)" and substituting therefor "two and one-quarter (2¼)".

Lost.

Senator Thomas 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 ayes were:

Arney, Balkema, Balluff, Boe, Clarkson, Crow, Darrah, Dunnegan, Farr, Garrett, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

Ames, Chase, Doran—3.

Absent or not voting:

Allen, Cowles, Crist, DeWolf, Fellows, Francis, Gillette, Hagemann, Heald, Jewell, Mattes, Perkins, Savage, Schrup, Taylor, Webber—16.

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

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House File No. 85, a bill for an act to repeal section 5028-b of the Supplement to the Code, 1907, and section 222, laws of the Thirty-third General Assembly, and to enact a substitute therefor, relating to unfair discrimination.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 93, a bill for an act to repeal chapter 146 of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to high school tuition.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 1741 of the Code, relating to applications for insurance.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Legel, Senate File No. 183, a bill for an act to amend section 2778 supplement to the code, 1907, and to provide for the employment of school superintendents for a term of years, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Legel moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Clarkson, Darrah, Dunnegan, Farr, Kimball, Legel, Malmberg, McColl, Perkins, Ream, Sheean, Smith, Thomas, White, Wilson of Appanoose, Wilson of Clinton.—16.

The nays were:

Ames, Balkema, Balluff, Boe, Chase, Crow, Doran, Fellows, Francis, Garrett, Jones, Larrabee, Mattes, Neal, Nye, Quigley, Robinson, Spaulding, Sullivan.—19.

Absent or not voting:

Allen, Arney, Cowles, Christ, De Wolf, Gillette, Hagemann, Heald, Hilsinger, Jewell, McManus, Savage, Schrup, Taylor, Webber—15.

So the bill having failed to receive a constitutional majority was declared to have been lost.

Senator Boe filed the following motion:

I move to reconsider the vote by which Senate File No. 183 failed to pass the Senate, and by which the bill passed to its third reading.

L. W. Boe.

Senate resumed consideration of Senate File No. 265, a bill for an act providing for the deposit by state and savings banks with the treasurer of the United States, of securities to secure

postal savings deposits made in such banks under the provisions of the postal savings bank act.

Senator McColl offered the following amendment and moved its adoption:

"Amend by striking out the catch words following section 1, and the word 'be' at end of line 2 in section 1."

Adopted.

The bill was read for information

Senator McColl moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton.—37.

The nays were:

None.

Absent or not voting:

Allen, Crist, De Wolf, Gillette, Hagemann, Heald, Hilsinger, Jewell, McManus, Nye, Savage, Taylor, Webber.—13.

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

HOUSE MESSAGES CONSIDERED.

House File No. 85, a bill for an act to repeal section five thousand twenty-eight-b (5028-b) of the supplement to the code, 1907, and chapter two hundred twenty-two (222), laws of the Thirty-third General Assembly, amendatory thereof, and to en-

act a substitute therefor relating to unfair discrimination in any commodity of commerce between different sections, localities, communities, cities or towns.

Read first and second time and referred to committee on Commerce and Trade.

House File No. 93, a bill for an act to repeal chapter one hundred and forty-six (146) of the acts of the Thirty-fourth General Assembly, relating to high school tuition, and to enact a substitute therefor.

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

House File No. 68, a bill for an act to amend section one thousand seven hundred forty-one (Sec. 1741) of the code, relating to applications for insurance.

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

REPORTS OF COMMITTEE.

Senator Cowles, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate File No. 423, a bill for an act to amend the law as it appears in section one thousand seven hundred fifty-eight-a (1758-a) of the Supplement to the Code, 1907, relating to insurance policy forms, beg leave to report they have had the same under consideration and recommend the same do pass.

LA MONTE COWLES,
Chairman

Ordered passed on file.

Also.

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate File No. 146, a bill for an act to amend sections two (2), five (5), eight (8), ten (10), twelve (12), fifteen (15) and sixteen (16) of chapter one hundred twenty-eight (128), acts of the Thirty-fourth General Assembly, relative to the duties and compensation of the state fire marshal and the deputy state fire marshal, and making an appropriation for the

maintenance of the state fire marshal's office, beg leave to report they have had the same under consideration and recommend the same be referred to the Appropriations committee with the recommendation that the same do pass.

LA MONTE COWLES,
Chairman.

Senator Cowles moved the adoption of the report of the committee.

Adopted.

So the bill was referred to the committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Mattes, Senate File No. 452, a bill for an act to amend the law relating to the compensation of members of the general assembly as the same appears in section twelve (12) of the code, as amended by chapter one (1) of the acts of the Thirty-fourth General Assembly.

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

By Senator Neal, Senate File No. 453, a bill for an act to empower the board of supervisors in any county to appropriate county funds to employ, or to assist in employing a county consulting agriculturalist, or soil expert, and to defray, or assist in defraying, the expenses connected therewith, for the purpose of the conservation of soil fertility or the improvement of agricultural conditions generally.

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

By Senator Kimball, Senate File No. 454, a bill for an act to amend section one (1), of chapter one hundred forty-six (146), of the acts and laws of the Thirty-fourth General Assembly and relating to the permission of pupils to attend any high school outside of the home district.

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

By Senator Robinson, Senate File No. 455, a bill for an act to amend section five (5), chapter sixty-nine (69), of the acts of the Thirty-third General Assembly, relating to the publication of the primary ballot.

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

Journal of March 15th was taken up, corrected and approved.

REPORTS OF COMMITTEE.

Senator Quigley, 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 to authorize curator of historical collections to collect information in regard to birds, etc., and appropriating $7,500.00 annually out of fish and game protection fund, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

ROBERT QUIGLEY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Fish and Game, to whom was referred Senate File No. 278, a bill for an act to amend section 2 of chapter 155, of the acts of the Thirty-third General Assembly, relative to mesh of nets and seines, beg leave to report they have had the same under consideration and recommend the same do pass.

ROBERT QUIGLEY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Fish and Game, to whom was referred Senate File No. 184, a bill for an act to amend section 2561 as it appears in the Supplement to the Code, 1907, for the protection of birds, beg leave to report they have had the same under consideration and recommend the same be reported for indefinite postponement.

ROBERT QUIGLEY,
Chairman.

Ordered passed on file.

Senator Ames filed the following motion:

I move to reconsider the vote by which Senate File No. 249 passed the Senate and by which the bill passed to its third reading.

A. L. AMES.

Senator Sullivan, from the committee on Cities and Towns, returned to the Senate, Senate File No. 256.

Senator Crow moved that the Senate do now adjourn until 9:45 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 18, 1913.

Senate met in regular session at 9:45 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. Mart Gary Smith, Bedford, Iowa.

PETITIONS AND MEMORIALS.

Senator Wilson of Appanoose presented a remonstrance of citizens of Appanoose county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Kimball presented a remonstrance of citizens of Oakland protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Kimball presented a remonstrance of citizens of Loveland protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Mattes presented a remonstrance of citizens of Sac county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Nye presented a remonstrance of citizens of Taylor county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Sullivan presented a petition of Valley Division, No. 361, Order of Railway Conductors, urging passage of Senate File No. 102, by Doran.

Referred to committee on Railroads.

Senator Ames presented a petition of citizens of Garrison favoring Senate File No. 57.

Referred to committee on Judiciary.

Senator Jones presented a remonstrance of citizens of Red Oak protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Boe presented a remonstrance of citizens of St. Ansgar and Carpenter protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hagemann presented a remonstrance of citizens of Kesley protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator McManus presented a remonstrance of citizens of Lee county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Fellows presented a petition of citizens of Fayette county favoring the daylight closing bill.

Referred to committee on Suppression of Intemperance.

Senator Malmberg presented a remonstrance of citizens of Newburg, Iowa, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Clinton presented a remonstrance of citizens of Clinton county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Sheean presented a remonstrance of citizens of Oxford Junction protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a remonstrance of citizens of Ogden and Roland protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a remonstrance of citizens of Story county protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Malmberg presented a petition of citizens of Newton favoring the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

Senator Ames presented a petition of teachers of Tama county favoring the state annuity fund bill for teachers.

Referred to committee on Schools.

Senator White presented a remonstrance of citizens of North English and Williamsburg protesting against a permanent tax commission.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Ream, Senate File No. 456, a bill for an act to amend the law as it appears in section twenty-five hundred forty (2540) supplement to the code, 1907, as amended by chapter one hundred fifty-three (153) acts of the Thirty-third (33rd) General Assembly, relating to the use of trot lines.

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

By Senator Clarkson, Senate Joint Resolution No. 11.

Joint Resolution No. 11, to Amend the Constitution of the State of Iowa Relating to Legislative Authority, Providing for Legislative Power by a General Assembly and the Initiative and Referendum with Reference to the Enactment of Laws and Amendments to the Constitution.

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

That the following, designated as section one, be and the same is hereby proposed as an amendment to section one, article three, of the constitution of the state of Iowa, with reference to legislative authority:

Section 1. The legislative authority of this state shall be vested in a General Assembly which shall consist of a Senate and House of Representatives and the style of every law shall be, "Be it enacted by the General Assembly of the State of Iowa," but the people reserve unto themselves the right and power to propose laws and amendments to the constitution, to enact, approve or reject the same when submitted, independent of the General Assembly, and reserve the right and power to approve or reject any item, section or part of an act enacted by the General Assembly except otherwise provided or limited by this section.

The General Assembly shall determine the number of qualified electors required to propose the enactment of any proposed law or proposed amendment to the constitution when proposed by the people, but the required number of electors as petitioners for the enactment of a proposed law shall be not less than twelve per cent (12%) nor more than twenty-two per cent (22%) of the number of votes cast at the general election for the office of secretary of state, next preceding the filing of such petition and the required number of electors as petitioners for a proposd amendment to the constitution of the state of Iowa shall be not less than ten per cent (10%) nor more than twenty per cent (20%) of the number of votes cast at the general election in each of the congressional districts in the state of Iowa for the secretary of state next preceding the filing of such petition.

Every proposed law when proposed by the people shall be presented by petition signed by the required number of qualified electors, addressed to and filed with the secretary of state not less than one hundred fifty (150) days preceding the general election at which the proposed law will be submitted and every proposed amendment to the constitution when proposed by the people shall be presented by petition signed by the required number of qualified electors of each of the congressional districts in the state of Iowa, addressed to and filed with the secretary of state not less than one year preceding the general election at which the proposed amendment to the constitution shall be submitted to the people for adoption or rejection.

The proposed law or proposed amendment shall contain a full text thereof, including the title and enacting clause, but the right and power reserved to the people to enact laws shall be subject to the same constitutional limitation as applies to the General Assembly unless otherwise provided in this section.

If the measure proposed is one to enact a law, the enacting clause shall be as follows: "Be it enacted by the people of the state of Iowa."

If the measure proposed is one to amend the constitution, it shall be in the form of a resolution as follows: "Be it resolved by the people of the state of Iowa."

For the purpose of and to enable the people to cause an act of the General Assembly to be submitted to the people for adoption or rejection, the General Assembly shall by statute fix and thereby determine the required number of qualified electors required to petition therefor, but the number of qualified electors required for that purpose shall be not less than ten per cent (10%) nor more than twenty (20%) per cent of the number of votes cast at the last general election for the office of secretary of state, next preceding the filing of such petition. Petitions therefor shall be addressed to and filed with the secretary of state within ninety (90) days from the final adjournment of the General Assembly which passed the act to which the petition is addressed, and shall contain a full text of that part of the act to be referred; but such right and power shall not extend or apply to an act passed by the General Assembly relating to the preservation of the public peace, public health or appropriations for the support and maintenance of the department of state and state institutions. A petition addressed to a part of any act shall not delay the remainder from becoming operative, but shall only suspend such portion of the act to which the petition is addressed.

Until the General Assembly enacts a law determining the per cent of qualified electors required to petition for the enactment of a law or to amend the constitution, the required per cent shall be as follows:

For the initiative proposing a law, fifteen (15%) per cent of the number of votes cast for secretary of state at the last general election preceding the filing of the petition.

For the initiative proposing an amendment to the constitution of the state of Iowa, there shall be obtained in each of the congressional districts of the state of Iowa, fifteen per cent (15%) of the number of votes cast for secretary of state at the general election next preceding the filing of such petition.

The veto power of the governor shall not apply or extend to any law initiated and enacted by the people.

All proposed laws or amendments to the constitution under the initiative or referred under the referendum, shall be submitted to the people for adoption or rejection at the regular general election, and shall become a law or a part of the constitution, as the case may be, when approved by a majority of the voters whose votes are cast thereon, and not otherwise; and shall take effect from and after the date of official declaration of the vote thereon by proclamation issued by the governor, which shall be not later than thirty days after the vote has been canvassed by the state canvassing board for that purpose, composed of the governor, secretary of state, and attorney general, and certificate thereof made not later than December first following the election.

The petition contemplated by this section shall consist of sheets having such general form, printed or written, as shall be prescribed by the secretary of state, and shall be signed by the required number of qualified electors, in their proper persons only, to which shall be attached the resident addresses of such persons signing the petition and the date of signing. To each of such petitions, which may consist of one or more sheets, shall be attached and made a part thereof an affidavit of some qualified elector that each signature thereon is the signature of the person whose name it purports to be, and that, to the best of the knowledge and belief of the affiant, each of the persons signing said petition was, at the time of signing, a qualified elector. Such petition, so verified, shall be prima facie evidence that the signatures thereon are genuine and true, and that the persons signing the same are qualified electors of the state of Iowa.

Immediately upon the filing of a petition under the initiative for the submission of a proposed law to the voters of this state for adoption or rejection, the secretary of state shall, if the petition contains the required number of names, submit the proposed law to the supreme court for an opinion as to whether or not the proposed law is one within the reserved power of the people to enact, and the supreme court of Iowa shall within twenty days render an opinion thereon and if in the opinion of the court the proposed law is one not within the reserved power of the people to enact, or conflicts with the constitution of the state of Iowa or the constitution of the United States, the proposed law shall not be submitted.

Until the General Assembly shall provide by law, a method of procedure of printing, distributing and submitting proposed laws and proposed amendments to the constitution, the secretary of state shall, ninety (90) days preceding the general election at which the measure will be voted upon, cause to be printed any and all proposed laws or proposed amendments to the constitution for or to which petition has been filed, in pamphlet form, containing the full text thereof, with the title and enacting clause, together with arguments for and against the same, within the limits prescribed by the secretary of state. The number printed shall be not less than one for each voter voting at the last general election preceding the filing of the petition, which shall be delivered to the county auditor of each county.

For each voter in each voting precinct of each political party, voting at the last general election preceding the filing of the petition, the auditor of each county shall deliver one copy to each precinct committeeman of each political party in the county.

The secretary of state shall submit all proposed laws or proposed amendments to the constitution petitioned therefor to the people for adoption or rejection at the polls in compliance therewith; but the right and power reserved to the people shall not operate to deprive or limit the power of the General Assembly to enact laws.

The initiative and referendum powers reserved to the people by this section are hereby further reserved to the legal voters of every city, town and municipality as to all local, special and municipal legislation, of every character in and for their respective municipalities, in so far as applicable and within the powers of the municipal government to enact. The manner of exercising the said powers shall be prescribed by general laws, except that cities, towns and municipalities may provide for the manner of exercising the initiative and referendum powers as to their municipal legislation within the power of the municipal government to enact; but in such cases not more than ten (10%) per cent of the legal voters may be required to order the referendum, nor more than fifteen (15%) per cent to propose any measure by the initiative in any city, town or municipality.

If conflicting proposed laws or conflicting proposed amendments to the constitution submitted to the people of the state at the same general election, be approved by a majority of the votes severally cast thereon the proposed law or proposed amendment to the constitution receiving the highest number of affirmative votes shall become law or an amendment to the constitution as the case may be as to all conflicting provisions.

This section of the constitution shall be self-executive.

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

INTRODUCTION OF BILLS.

By Senator Perkins, Senate File No. 457.

A BILL FOR AN ACT Authorizing and Directing the Governor to Appoint a Commission of Three Persons to be Known as "The Vice Investigation Committee" for the Purpose of Investigating Vice Conditions in This State and the Causes Thereof; Also Defining the Duties of Said Committee.

WHEREAS: Recent disclosures and investigations indicate the existence of great moral and social evils in our state and conditions indicating organized forces operating to entrap the unwary and innocent and leading, encouraging and forcing them into lives of shame and creating conditions that must not be tolerated in any community or state; and,

WHEREAS: Developments indicate that this revolting and dangerous condition exists and is operating with like conditions in other states, creating conspiracy extending beyond the confines of this state; and,

WHEREAS: There exists a wide-spread belief that such conditions are made possible by the laws relating to wages paid females in different lines of industry and by social conditions existing in the cities and towns of Iowa and conditions growing out of the divorce laws of this state and non-enforcement of existing laws; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. The governor is hereby authorized and directed immediately upon the taking effect of this act to appoint a commission known as the "Vice Investigation Committee." It shall consist of three citizens who shall serve without compensation but shall be allowed all expenses actually and necessarily incurred in the performance of their duties.

Sec. 2. Said commission shall meet and organize immediately upon their appointment by electing one of their number as chairman, and shall employ a secretary from outside the membership of said commission and shall employ stenographers, assistants and experts as they may deem necessary. The secretary and employes shall receive such compensation as the commission may determine and the same shall be paid on warrants issued by the secretary and signed by the chairman of said commission and countersigned by the governor of the state of Iowa.

Sec. 3. Such commission shall fully investigate the causes and conditions of and remedies for the white slave traffic, prostitution, the ownership of properties wherein and whereon prostitution is carried on the causes of the non-enforcement of law in such cases in the various communities of Iowa and the questions of the employment of females and the wages paid them and the causes of divorces and its effects upon society; it shall be the duty of this commission to make an investigation of the question of the care and education and support by this state of those who are by accident, misfortune, sickness or disease dependent upon the generosity of the citizens of Iowa. Said commission may extend said investigation to communities outside of Iowa when from the evidence they are satisfied that there exists conditions in other states affecting and connected with conditions in Iowa; and said commission shall make full report hereof to the governor on or before September 1st, nineteen hundred fourteen, and such partial reports before that date as may be expedient.

Sec. 4. Such commission is endowed with plenary power to perform and discharge the duties by this act enjoined. Any member of said commission shall have power to administer oaths to persons appearing before such commission.

Sec. 5. Said commission is authorized to hold such meetings at such places and at such dates as it shall deem most expedient.

Sec. 6. Said commission may issue subpoenas for witnesses over the signature of the chairman or acting chairman of said commission, which may be served in the same manner as district court subpoenas are served, and thereby summon and compel the attendance of witnesses and the production of all books, papers and documents necessary, to be used by them in the course of the investigation and the discharge of their duties and shall have the right to enter any establishment where women are employed for the purpose of making investigation. If any witness

subpoenaed to appear before said commission shall refuse to appear or to answer inquiries propounded, or refuse to produce books, documents, papers and records within his possession or control when the same are demanded by said commission, such commission shall report the facts to the district court of the county in which such examination is being conducted or to the judge thereof, and it shall be the duty of such court or judge to compel obedience to such subpoena by attachment proceedings for contempt as in case of disobedience of the requirements of a subpoena issued from such court on refusal to testify therein. The sheriff or his deputy of any county where investigations are being held shall serve subpoenas the same as in criminal cases in district court and any officer, agent or employe of the state of Iowa shall aid said commission and any secret service agent of the state shall be at the service of said commission.

Sec. 7. The books, papers or documents produced by a witness before the vice investigation committee and the testimony given by any witness shall not be used against said witness in any trial. Names of persons furnishing any information to this commission shall not be made public. The records of witnesses and their testimony shall be designated by numbers or letters and no names of witnesses appearing before said commission shall be printed in the records of said testimony or given to the public unless with their consent.

Sec. 8. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Read first and second time.

Senator Boe moved that the bill, Senate File No. 457, be placed on the calendar.

Carried.

By Senator Malmberg, Senate File No. 458, a bill for an act relating to the duties of road superintendents and township trustees and prescribing their powers.

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

By Senator Malmberg, Senate File No. 459, a bill for an act to amend section one thousand four hundred twenty-three (1423) of the code, relating to tax sales of real estate and giving to counties the right to purchase real estate at tax sales and to own and dispose of same.

Senator Boe moved that Senate File No. 457 be printed in the Journal of March 18th and that no other copies of the bill be printed.

Carried.

REPORTS OF COMMITTEE.

Senator Darrah, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 268, a bill for an act to prohibit the distribution of campaign literature on primary or election days, and fixing the penalty for a violation of this act, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN H. DARRAH,
Chairman.

Senator Darrah moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 8, a bill for an act to amend the law relating to election of United States senators, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN H. DARRAH,
Chairman.

Senator Darrah moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 5, a bill for an act to amend section ten hundred eighty-seven-a-ten (1087-a-10), Supplement to the Code, 1907, and to amend

section eleven hundred six (1106) of the Code, relative to the expression of the choice of the people for United States senator, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN H. DARRAH,
Chairman.

Senator Darrah moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Cowles moved that Senate File No. 92 be made a special order for 11 o'clock A. M., today.

Carried.

THIRD READING OF BILLS.

The time for special order having arrived, Senate File No. 117, a bill for an act to amend section 1087-a-4 of the supplement to the code, 1907, as amended by section 1 of chapter 58 of the acts of the Thirty-fourth General Assembly in relation to the time of holding primary elections, was taken up and considered.

Senator Wilson of Appanoose offered the following amendment and moved its adoption:

I move to amend Senate File No. 117 as follows: Strike out the amendment to said bill as printed on page 929 of the Senate Journal of March 17th, and insert in lieu thereof the following:

Sec. 5. That section one thousand eighty-seven-a-ten (1087-a-10) of the Supplement to the Code, 1907, is hereby amended by striking from said section the word "June" wherever the same appears in said section, and substituting therfor the word "August".

Sec. 6. That section one thousand eighty-seven-a-14 (1087-a-14) of the Supplement to the Code, 1907, is hereby amended by striking from said section the word "June" wherever the same appears therein, and substituting therefor the word "August".

Adopted.

Senator Smith 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 ayes were:

Ames, Arney, Balkema, Balluff, Clarkson, Doran, Dunnegan, Farr, Fellows, Hagemann, Heald, Hilsinger, Kimball, Legel, McManus, Neal, Ream, Schrup, Sheean, Smith, Spaulding, Webber, White, Wilson of Clinton—24.

The nays were:

Allen, Boe, Chase, Cowles, Crist, Crow, Darrah, DeWolf, Francis, Garrett, Jones, Larrabee, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Savage, Sullivan, Thomas, Wilson of Appanoose—23.

Absent or not voting:

Gillette, Jewell, Taylor—3.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Wilson filed the following motion:

I move to reconsider the vote by which Senate File No. 117 failed to pass the Senate and by which the bill passed to its third reading.

J. M. WILSON.

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. 169, a bill for an act to amend division two of section 2448 of Supplement to the Code, 1907, relating to the limits within which intoxicating liquors may be sold.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 45, a bill for an act providing that all common carriers operating trains within the state of Iowa and carrying live stock shall provide sleeping berths for the person in charge of said stock and providing a penalty for failure to comply therewith.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

Senate File No. 52, a bill for an act requiring common carriers to settle claims for delay in delivering freight or injury or loss by freight in transit or for excessive freight rates within a specified time and providing a penalty for failure to comply therewith.

A. C. GUSTAFSON,
Chief Clerk

On request of Senator Robinson, leave of absence was granted Senator Gillette for the day.

On request of Senator Neal, leave of absence was granted Senator Taylor for the forenoon.

REPORTS OF COMMITTEES.

Senator Sullivan, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 134, a bill for an act to amend the law as it appears in paragraph eight (8) of section eight hundred and ninety-four (894) of the Supplement to the Code, 1907, relating to the levy of special taxes by cities, beg leave to report they have had the same under consideration and recommend the same be reported to the Senate without recommendation

JOHN B. SULLIVAN,
Chairman

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 437, a bill for an act to amend section five hundred ninety-nine (599) of the Code, relative to the incorporation of cities and towns, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 75, a bill for an act to amend section nine (9) of chapter sixty-four (64), acts of the Thirty-third General Assembly of Iowa, relating to the government of certain cities, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 177, a bill for an act to repeal the law as it appears in sections six hundred forty-seven (647), six hundred forty-eight (648), and six hundred fifty-one (651). of the Supplement to the Code, 1907, and to enact substitutes therefor, relative to the election and ap-

pointment of certain officers in cities and towns, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 258, a bill for an act authorizing cities and towns to license, regulate, prevent or prohibit the erection, maintenance or display of signboards, billboards and offensive advertisements and advertising matter, and repealing section seven hundred-b (700-b) of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 53, a bill for an act to amend the law as it appears in chapter sixty-four (64), acts of the Thirty-third General Assembly relating to the government of certain cities, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Boe, from the committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your committee on Public Libraries, to whom was referred House File No. 3, a bill for an act to amend section seven hundred thirty-two (732) of the Supplement to the Code, 1907, in relation to library funds and transfer thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

L. W. BOE,
Chairman.

Ordered passed on file.

Senator Arney, from the committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Educational Institutions, to whom was referred Senate File No. 82, a bill for an act to provide additional chairs in the college of homeopathic medicine of the State University of Iowa, additional to chapter 168 of the acts of the Sixteenth General Assembly, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

W. H. ARNEY,
Chairman.

Senator Arney moved the adoption of the report of the committee.

Senator Chase moved as a substitute motion that the bill be placed on the calendar.

On this motion a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Arney, Chase, Clarkson, Cowles, Crow, DeWolf, Dunnegan, Farr, Fellows, Garrett, Hagemann, Heald, Hilsinger, Kimball, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, White, Wilson of Clinton—29.

The nays were:

Darrah, Doran, Francis, Jones, Larrabee, Mattes, Perkins, Savage, Wilson of Appanoose—9.

Absent or not voting:

Balkema, Balluff, Boe, Crist, Gillette, Jewell, Legel, Malmberg, Schrup, Taylor, Thomas, Webber—12.

Carried.

THIRD READING OF BILLS.

On motion of Senator Crist, House File No. 157, a bill for an act to repeal section one (1) chapter one hundred twenty-three (123) laws of the Thirty-fourth General Assembly; to repeal section two (2) chapter 123, laws of the Thirty-fourth General Assembly, and enact a substitute therefor; to repeal section three (3) of chapter 123, acts of the Thirty-fourth General Assembly; to amend section 2587 of the code; to amend section 2594 of the code; to repeal section 2588 of the code, and enact a substitute therefor; to amend section 2593, supplement to the code of 1907 relating to the practice of pharmacy and to the sale of drugs, medicines, poisons and chemicals, was taken up and considered.

Senator Crist moved that Senate insist on its amendments to House File No. 157, and asked for a conference committee.

Carried.

The president appointed as such conference committee on the part of the Senate, Senators Legel, Perkins, Mattes and Crist.

On motion of Senator Clarkson, House File No. 8, a bill for an act to prohibit the marriage of white persons with those of African descent and prescribing a penalty for the violation thereof, with report of committee recommending indefinite postponement, was taken up and considered.

On the adoption of the report of the committee a roll call was demanded.

Those favoring the adoption of the report of the committee were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Cowles, Crist, Fellows, Francis, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Perkins, Ream, Robinson, Savage, Sullivan, Wilson of Appanoose—27.

The nays were:

Clarkson, Crow, Darrah, Doran, Dunnegan, Garrett, Hagemann, Nye, Quigley, Schrup, Sheean, Smith, Spaulding, Thomas, White, Wilson of Clinton—16.

Absent or not voting:

DeWolf, Farr, Gillette, Jewell, Legel, Taylor, Webber—7.

So the report of the committee was adopted and the bill was indefinitely postponed.

On motion of Senator Cowles, Senate File No. 92, a bill for an act authorizing the giving of annuities to disabled and retired public school teachers of all rural and urban public schools, creating a fund from which to pay such annuities and providing for the distribution thereof, creating a board of trustees to care for such annuity fund and prescribing their powers and duties, and authorizing the retiring from service of public school teachers under certain conditions, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Cowles moved that the substitute for the original bill be adopted.

Adopted.

Senator Mattes offered the following amendment and moved its adoption:

I move to amend this substitute by inserting after the word "dollar" in the fourth line of section 1 in the substitute as printed in the Journal, the following: "or so much thereof as is necessary to yield approximately the sum of one hundred thousand dollars ($100,000.00)) annually, for a period of five years".

Adopted.

Senator Schrup offered the following amendment and moved its adoption:

Amend section 5 by substituting the word "thirty" for the words "twenty-five" in the second line of said section.

Senator Jones moved that the bill with all pending amendments be referred to the committee on Ways and Means.

Senator Perkins moved the previous question.

Carried.

Senator Smith offered the following amendment:

I move to amend section 5 by striking therefrom the following words: "during the school year of 1912-1913 upon renewal" out of the sixth line from the bottom of page 902 of the Senate Journal.

Declared out of order.

By unanimous consent Senator Francis offered the following amendment and moved its adoption:

I move to amend section 2 by adding after the word "corporation" in line 7, the words "or drainage district".

On the motion of Senator Jones to refer the bill and all pending amendments to committee on Ways and Means, a roll call was demanded.

Those favoring the motion were:

Ames, Balkema, Boe, Darrah, Doran, Farr, Fellows, Francis, Hagemann, Jones, Larrabee, Legel, Mattes, McColl, Schrup, Smith, Spaulding, Webber—18.

The nays were:

Allen, Arney, Balluff, Chase, Cowles, Crist, Crow, Dunnegan, Garrett, Heald, Hilsinger, Kimball, Malmberg, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—27.

Absent or not voting:

Clarkson, DeWolf, Gillette, Jewell, Taylor—5.

So the motion was lost.

The amendment offered by Senator Schrup was lost.

The amendment offered by Senator Francis was adopted.

Senator Cowles 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 ayes were:

Allen, Ames, Arney, Balluff, Boe, Chase, Cowles, Crist, Crow, Dunnegan, Garrett, Hagemann, Heald, Hilsinger, Kimball, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

Balkema, Darrah, Doran, Fellows, Francis, Jones, Larrabee, McColl, Schrup, Smith, Webber—11.

Absent or not voting:

Clarkson, DeWolf, Farr, Gillette, Jewell, Taylor—6.

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

Senator Mattes submitted the following communication, which was ordered printed in the Journal:

STATE OF IOWA.

DEPARTMENT OF JUSTICE

DES MOINES.

Sir:—

I am in receipt of your communication of the 7th instant, requesting an opinion as to whether or not a member of the Senate duly elected to fill a vacancy and qualifying on February 21, 1913, after the first half of the salary for the session has been paid to his predecessor, who served during the first of the session, is entitled to the full salary for the term.

The statutory provision covering compensation of members of the General Assembly is found in section 12 of the Code as amended by chapter 1 of the Thirty-fourth General Assembly, and as so amended reads as follows:

"The compensation of the members of the General Assembly shall be: To every member, for each regular session, one thousand dollars, and for each extra session the same compensation per day while in session, to be ascertained by the rate per day of the compensation of the members of the General Assembly at the preceding regular session; and in

going to and returning from the place where the General Assembly is held, five cents per mile, by the nearest traveled route; but in no case shall the compensation for any extra session exceed six dollars per day, exclusive of mileage."

The exact question you submit arose by reason of a vacancy created in the office of representative of the Twenty-sixth General Assembly. The question was submitted to former Attorney General Remley and in an official opinion given to the auditor of state, General Remley held that since there was no method pointed out by statute to pro rate the amount earned, that the member elected to fill the vacancy was entitled to the full compensation for the entire session and accordingly his time was certified for the full amount and duly paid by the auditor of state.

I doubt very much the soundness of this opinion but it has the force of law until overruled by legislative enactment, court decision, or subsequent opinion of the attorney general. In view of the fact that the opinion was given in 1896, it is presumed to have received the sanction of the General Assembly then in session or at least each succeeding General Assembly. This being true, I am of the opinion that it would not be improper to certify to the auditor of state the full compensation to the senator from the Thirty-ninth District for the entire session.

The General Assembly should, however, at this session pass a law making it clear just what compensation is to be received by a member of the General Assembly who is elected for the unexpired portion of the session.

Respectfully submitted.

GEORGE COSSON,
Attorney General of Iowa.

March 15, 1913.

Hon. Jos. Mattes,

Senate Chamber.

Journal of March 17th was taken up, corrected and approved.

Senator Allen asked that the records show that he had accepted the resignation of Miss Nora E. McCormick as clerk, to take effect March 18th.

Senator Clarkson, from the committee on Examination of Applicants for committee clerkships, submitted the following report and moved its adoption:

We, your committee to examine applicants for committee clerks, beg leave to report that we have examined the following named person and find him qualified for the position referred to.

C. A. Bryan.....Senator Allen

JOHN T. CLARKSON,
Chairman.

Report adopted.

The following named clerk appeared before the bar of the Senate and was duly sworn:

C. A. Bryan.....Senator Allen

Senator Robinson moved that the Senate do now adojurn until 9:30 o'clock A. M., tomorrow.

Carried.

Senate adojurned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 19, 1913.

Senate met in regular session at 9:30 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. C. L. Baxter, Council Bluffs, Iowa.

On request of Senator Arney, leave of absence was granted Senator Darrah for the day.

PETITIONS AND MEMORIALS.

Senator Crist presented a remonstrance of citizens of New Virginia, Osceola and Woodburn protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Mattes presented a remonstrance of citizens of Early protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Gillette presented a remonstrance of citizens of Cherokee county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Gillette presented a petition of members of LeMars Council asking an amendment to the constitution of Iowa, changing the time of elections.

Referred to committee on Elections.

Senator Spaulding presented a remonstrance of citizens of Brooklyn protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Appanoose presented a remonstrance of citizens of Plano protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Smith presented a remonstrance of citizens of Marne protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balkema presented a remonstrance of citizens of Sanborn, Rock Rapids and Melvin protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Schrup presented a remonstrance of citizens of Dubuque county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Heald presented a remonstrance of citizens of Linn county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Taylor presented a remonstrance of citizens of Van Buren county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balluff presented a remonstrance of citizens of Scott county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator White presented a remonstrance of citizens of Ladora protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Nye presented a remonstrance of citizens of Taylor county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Clarkson presented a petition of citizens of Ottumwa, Iowa, urging passage of Senate File No. 3, workmen's compensation bill.

Referred to committee on Judiciary.

Senator Clarkson presented a petition of members of Local Union No. 2644, United Mine Workers, asking the enactment of a law requiring Iowa institutions to purchase fuel supplies of Iowa industries.

Referred to committee on Board of Control and its Institutions.

Senator Clarkson presented a remonstrance of citizens of Monroe county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Clarkson presented a remonstrance of citizens of Marion county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Heald presented a remonstrance of citizens of Linn county opposing road levy tax.

Referred to committee on Roads and Highways.

Senator Schrup presented a remonstrance of citizens of Dubuque county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balluff presented a remonstrance of citizens of Eldridge and Princeton protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Gillette presented a remonstrance of members of the town council of Marcus protesting against Senate File No. 306.

Referred to committee on Public Utilities.

INTRODUCTION OF BILLS.

By Senator Heald, Senate File No. 460, a bill for an act to amend section eight hundred ninety-four (894) of the supplement to the code, 1907, relative to the levy of taxes in cities under the commission form of government.

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

By Senator Mattes, Senate File No. 461, a bill for an act making appropriations to defray the expense of the "vice investigation committee."

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

Section 1. That there is hereby appropriated out of any money of the state treasury not otherwise appropriated the sum of two thousand five hundred dollars ($2,500.00) or so much thereof as may be necessary to defray the expense of the "vice investigation committee." The auditor of state is authorized to issue warrants on said funds on order of the chairman and secretary of said commission, signed by the governor of the state of Iowa.

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.

Read first and second time and ordered printed in Journal.

By Senator Webber, Senate File No. 462, a bill for an act to provide for the appointment of a commission to select and draw grand and petit jurors, including talesmen, in all counties having a population of over twenty thousand (20,000) and prescribing the duties thereof.

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

MOTION TO RECONSIDER.

We, the undersigned senators, hereby move that the vote by which the substitute for Senate File 92 as printed at pages 900 to 904, inclusive, passed the Senate, be reconsidered and also move that the vote calling for the previous question on said bill be reconsidered.

ELI. C. PERKINS.
H. W. SPAULDING.

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. 206, a bill for an act to legalize the ordinances of the town of New Market, Taylor county, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 309, a bill for an act to amend section 3656 of the Code, relative to trial terms.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 prohibit unfair discrimination.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 546, a bill for an act to provide for the terms of court in the 4th and 21st judicial districts.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 appropriating a certain sum of money to Bertha G. Myers, widow of Elmer Myers, deceased, an itinerant vendor of drugs, amount so appropriated being the measured license fee.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 declare certain diseases contagious and infectious, and to provide rules and regulations for the control of same, and to fix punishment for violation thereof.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 417, a bill for an act amending chapter 157 of the acts of the Thirty-fourth General Assembly, relative to legalizing certain conveyances by foreign administrators and executors.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended by substitute amendment and passed the following bill, in which the concurrence of the House was asked:

Substitute for Senate File No. 24, a bill for an act to indemnify Clara Bahls for personal injury sustained by her while working in the laundry while attending the institution for the deaf and dumb at Council Bluffs, Iowa.

A. C. GUSTAFSON,
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. 43, a bill for an act appropriating the sum of $2700.00 to indemnify Allan W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa.

A. C. GUSTAFSON,
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. 210, a bill for an act to amend the law as it appears in sections 1056-a-25 and 1056-a-26 of the Supplement to the Code, 1907, as amended, and to provide for the appointment and powers of library trustees in certain cities.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Thomas, Senate File No. 463, a bill for an act to amend the law as it appears in section twenty-six hundred trirty-four-a (2634-a), supplement to the code, 1907, relating to the employment of help by the educational board of examiners.

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

By Senator Allen, Senate Joint Resolution No. 12.

Resolution Authorizing the Appointment of a Committee to Investigate the Proposition of E. B. Howard to Convey to the State His Interest in About Four Hundred (400) Acres of Land Near State Center, Iowa, for the Purpose of Establishing a Vocational School.

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

That a joint committee of three, consisting of one senator to be appointed by the president of the Senate, and two representatives to be appointed by the speaker of the House, be appointed, whose duty it shall be to investigate the proposition of E. B. Howard of Ames, Iowa, to convey to the state about four hundred (400) acres of land owned by him near State Center, Iowa, said proposition being contained in certain deeds and other writings on file in the office of the attorney general; said committee to make its report as to whether or not the state should accept

said proposition as made or as it may be modified on or before the first day of April, 1913, and before the close of the present session of the legislature.

Read first and second time and referred to committee on Educational Institutions.

HOUSE MESSAGES CONSIDERED.

Senate File No. 52, a bill for an act requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for failure to comply therewith.

Senator Chase moved that the Senate concur in the following House amendment:

By striking out the word "and" in the seventh line of section one.

On the question, "Shall the Senate concur in the House amendment?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crow, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Jones, Kimball, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Balluff, Crist, Darrah, DeWolf, Hilsinger, Jewell, Larrabee, McManus, Quigley, Savage, Webber, White—12.

So the House amendments having received a constitutional majority were declared concurred in.

House File No. 169, a bill for an act to amend division two of section twenty-four hundred forty-eight (2448) of supplement to

the code of 1907, relating to the limits within which intoxicating liquors may be sold.

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

House File No. 45, a bill for an act providing that all common carriers operating trains within the state of Iowa and conveying live stock shall provide a car equipped with sleeping berths or bunks for the persons in charge of such live stock, and providing a penalty for failure to comply therewith.

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

House File No. 247, a bill for an act to declare certain diseases contagious and infectious, and to provide rules and regulations for the control of the same, and to fix punishment for violation thereof.

Read first and second time and placed on calendar.

House File No. 206, a bill for an act to legalize the ordinances of the town of New Market, Taylor county, Iowa.

Passed on file.

House File No. 293, a bill for an act to legalize the incorporation of Humboldt State Bank, Humboldt, Iowa.

Passed on file.

House File No. 309, a bill for an act to amend section 3656 of the code relative to trial terms in equitable actions in the district court.

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

House File No. 7, a bill for an act to invest the district courts of the state of Iowa with jurisdiction and authority to restrain violations of any law heretofore or hereafter enacted to protect the public and trade and commerce against unlawful restraints, trusts, conspiracies, combinations and monopolies, or unfair discrimination between different sections, communities or localities; to cause any person within the state of Iowa to be made party to an action pending in any court in this state, and to require any person, firm,

association or corporation to respond to a subpoena in any court in this state, and to give testimony and produce any books, papers or documents in any hearing, investigation, proceeding or prosecution for the violation of any laws relating to pools, trusts, conspiracies, combinations or monopolies, or prohibiting unfair discrimination between different sections, communities or localities, and to provide immunity to the persons so testifying; and to make an appropriation for the purpose of enforcing the provisions of this act and all laws passed to protect trade and commerce against unlawful restraints, trusts, conspiracies, combinations and monopolies, and all laws relating to the fixing of prices and charges, or designed to prohibit unfair discrimination between different sections, communities or localities.

Read first and second time and referred to committee on Commerce and Trade.

House File No. 546, a bill for an act to provide for the terms of court in the fourth and twenty-first judicial districts.

Read first and second time and taken up for consideration.

THIRD READING OF BILLS.

By unanimous consent, House File No. 546, a bill for an act to provide for the terms of court in the fourth and twenty-first judicial districts, was taken up and considered.

Senator Farr moved that the rule by which no bill can be read the second and third times the same day be suspended.

Carried unanimously.

Senator Farr 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 ayes were:

Allen, Ames, Arney, Balluff, Boe, Clarkson, Crist, Crow, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Jones, Kimball, Larrabee, Legel, Malmberg,

Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

Balkema, Chase, Cowles, Darrah, Hilsinger, Jewell, Savage, Spaulding—8.

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

HOUSE MESSAGES CONSIDERED.

House File No. 453, a bill for an act appropriating a certain sum of money to Bertha G. Myers, widow of Elmer Myers, deceased, an itinerant vendor of drugs, the said amount so appropriated being the unearned license fee paid by said Elmer Myers.

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

House File No. 417, a bill for an act amending chapter 157 of the acts of the Thirty-fourth General Assembly relative to legalizing certain conveyances by foreign administrators and executors; regulating the proof of titles to real property and legalizing certain instruments and proceedings as against defects arising prior to 1900 and as to defects prior to 1895; legalizing certain proceedings and instruments when of record ten years and regulating proof of title as affected by such defects; legalizing certain instruments executed by executors, administrators, trustees, guardians, referees and commissioners prior to 1893; giving certain assignments the same force and effect as a deed of conveyance; providing that persons in possession or pending litigation shall not be affected by the provisions of this act and giving claimants one year in which to commence actions and barring their rights thereafter.

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

Substitute for Senate File No. 24, a bill for an act to indemnify Clara Bahls for personal injury sustained by her while at work in the laundry while attending the institution for the deaf and dumb at Council Bluffs, Iowa.

HOUSE AMENDMENT.

Strike out all after the enacting clause and insert the following:

"Sec. 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of $1000 for payment in full for damages sustained by Clara Bahls arising from injuries sustained by her while at work in the laundry at the State School for the Deaf and Dumb at Council Bluffs, Iowa; said sum to be placed in the hands of the executive council as trustee for the benefit of said Clara Bahls."

Passed on file.

Substitute for Senate File No. 43, a bill for an act appropriating the sum of five thousand ($5,000) dollars, to indemnify Allan W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa.

Passed on file.

Senate File No. 210, a bill for an act to amend the law as it appears in sections ten hundred fifty-six-a-twenty-five and ten hundred fifty-six-a-twenty-six (1056-a-25 and 1056-a-26) of the supplement to the code, 1907, as amended, and to provide for the appointment and powers of library trustees in certain cities.

Senator Boe moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS.

Amend by inserting at the end of the second line of section two, the figures "1907".

Amend by striking from lines two and three of section three the following words: "provisions of chapter 14-c of the Code Supplement, known

as the Commission Plan," and inserting in lieu thereof the following: "Commission form of government."

Amend by striking from line 13 of section four the words "Code Supplement" and inserting in lieu thereof the following: "Supplement to the Code, 1907."

On the question, "Shall the Senate concur in the House amendments?"

The ayes were:

Ames, Arney, Balkema, Balluff, Crist, Crow, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—39.

The nays were:

None.

Absent or not voting:

Allen, Boe, Chase, Clarkson, Cowles, Darrah, DeWolf, Jewell, Larrabee, McManus, Wilson of Clinton—11.

So the house amendments having received a constitutional majority were declared concurred in.

THIRD READING OF BILLS.

On motion of Senator Sheean, substitute for Senate File No. 43, a bill for an act appropriating the sum of five thousand ($5,000) dollars, to indemnify Allan W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa, was taken up and considered.

Senator Sheean moved that the Senate concur in the following House amendment:

Amend by striking out section 2, the publication clause.

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crist, Crow, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Jones, Legel, Malmberg, Mattes, McColl, McManus, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, Darrah, Hilsinger, Jewell, Kimball, Larrabee, Neal, Savage, Schrup—11.

So the house amendments having received a constitutional majority were declared concurred in.

REPORTS OF COMMITTEE.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 428, a bill for an act to amend the law as it appears in section 2578-b of the Supplement to the Code, 1907, relating to trial upon appeal to the district court from decisions of the State Board of Medical Examiners revoking physicians' licenses, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 297, a bill for an act relating to the trial of divorce cases, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 336, a bill for an act to provide for the restoration of lost or destroyed public records, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 431, a bill for an act to repeal the law as it appears in section 4913-a of the Supplement to the Code, 1907, and to enact a substitute therefor in regard to bringing into certain state institutions and other places where inmates may lawfully be, drugs or liquors, or weapons, explosives or other articles for use in making or attempting an escape, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 301, a bill for an act to amend section 3505 of the Code, 1897, in relation to change of place of trial when a county is a party, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 392, a bill for an act to amend section 3505 of the Code, relating to place of trial, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 138, a bill for an act to legalize certain warrants of the city of Onawa, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 343, a bill for an act to legalize an election held in the town of Modale, Iowa, March 25, 1912, in electing councilmen; and to legalize the acts of the council of said town in filling vacancies in said council, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 87, a bill for an act to amend section 4603 of the Code, providing for the cross-examination of the adverse party to the record of any civil action or proceeding, or a person for whose benefit action or proceeding is defended, or the directors, officers, superintendent, or

managing agents prosecuted or of any corporation which is a party to the record, and providing that the party calling such witness shall not be bound by his testimony and that the testimony of such witness may be rebutted by the party calling such witness by other evidence; all relating to evidence in civil actions and proceedings, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 375, a bill for an act to amend section 4612 of the Code, relating to criminating questions propounded to witness in certain cases, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 341, a bill for an act to amend section 3764 of the Code, relating to the dismissal of actions, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

Mr. President—Your committee on Judiciary, to whom was referred Senate File No. 16, a bill for an act to repeal section 3366 of the Code and to enact a substitute therefor relating to the share of surviving spouse, beg leave to report they have had the same under consideration and recommend the same be amended by adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 16.

A BILL for an Act to Repeal Section Three Thousand Three Hundred Seventy-nine (3379) of the Code and to Enact a Substitute Therefor, Relating to the Share of Surviving Spouse.

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

Section 1. That section three thousand three hundred seventy-nine (3379) of the Code, be and the same is hereby repealed and the following enacted in lieu thereof:

If the intestate leaves no issue, the whole of the estate to the amount of five thousand dollars ($5,000.00), after the payment of the debts and expenses of administration, and one-half (½) of all of the estate in excess of said five thusand dollars ($5,000.00) shall go to the surviving spouse and the other one-half (½) of said excess shall go to the parents. If no spouse, the whole shall go to the parents.

And that the substitute be amended by striking out the words and figures "five thousand dollars ($5,000.00)" and substituting in lieu thereof the words and figures "seven thousand five hundred ($7,500.00) dollars"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 413, a bill for an act to legalize the incorporation and acts and proceedings of Leopold Desk Company of Burlington, Des Moines county, Iowa, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By adding: Sec. 2. Nothing herein contained shall be construed to affect pending litigation; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 83, a bill for an act to amend section 3147 of the Code, relating to the time for making return of solemnization of marriage, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 377, a bill for an act to amend section 4606, chapter 1, title 23 of the Code, 1897, and the amendments thereto in relation to husband and wife as witnesses, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 294, a bill for an act to repeal section 3308, of the Code of 1907, and enact a substitute therefor, relating to release and discharge of liens by foreign administrators, executors and guardians, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 432, a bill for an act to amend section 2071 of the Supplement to the Code, 1907, relating to the liability of corporations operating a railway, for negligence or wrongs to employes, as amended by chapter 124, acts of the Thirty-third General Assembly, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 298, a bill for an act to amend section 4110 of the Code, 1897, relating to appeals to the supreme court, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 254, a bill for an act to repeal section 691 of the Code, relating to the jurisdiction in actions for the violation of city ordinances and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 254.

A BILL for an Act to Amend the Law as the Same Appears in Sections Six Hundred Ninety-one (691) and Six Hundred Ninety-two (692) of the Code, 1897, Relating to the Jurisdiction in Actions for the Violation of City or Town Ordinances and Providing for the Transfer of Cases from Mayor's Court to a Justice of the Peace Court in Certain Cases.

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

Section 1. That the law as the same appears in section six hundred ninety-one (691) of the Code, 1897, be and the same is hereby amended by adding to said section the following, after the period following the word "be," in the last line thereof:

When an information is filed before a mayor of any city or town for the violation of an ordinance of such city or town, the mayor having jurisdiction as provided in this section, may upon his own motion only, at any time after the information is filed and before the trial, transfer the case for further proceedings to any justice of the peace court within such city or town, and the justice of the peace, for the further proceedings in the case to whom the case is transferred, shall have jurisdiction thereof to the same extent and with the same power and like limitations as the mayor of such city or town. The fees taxable after the transfer of the case fixed by ordinance shall be paid by the city or town as the case may be to the justice before whom the case is tried.

Sec. 2. The law as the same appears in section six hundred ninety-two (692) of the Code, 1897, shall apply to this act, and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 236, a bill for an act legalizing the adoption, signing, recording and publication of the ordinances of the city of Bedford, Iowa, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By the addition of the following:

Sec. 3. Nothing herein contained shall be construed to affect pending litigation; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 347, a bill for an act to amend section 342 of the Code and the law as it appears therein relating to the drawing of jurors, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 337, a bill for an act authorizing the issue of a patent to the northeast quarter (NE¼) of the southeast quarter (SE¼) of section 23, township 67, range 23 west of the 5th P. M., beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 336, a bill for an act authorizing the issue of a patent to the southeast quarter (SE¼) of the southeast quarter (SE¼) of section 23, township 67, range 23 west of the 5th P. M., beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 166, a bill for an act to provide additional qualifications for office (additional to chapter 6, title VI, of the Code, relating to

qualifications for office, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Senator Francis offered the following amendment to House File No. 166, which was ordered printed in the Journal:

Amend House File No. 166 by striking out the words "any elective or appointive office in this state", and substituting "the office from which removed or which was by the incumbent resigned".

Senator Webber moved that the Senate request the return of Senate File No. 92 from the House.

On this motion, a roll call was demanded.

Those favoring the motion were:

The ayes were:

Ames, Balkema, Boe, Clarkson, Doran, Farr, Fellows, Francis, Gillette, Jones, Larrabee, McColl, Schrup, Smith, Spaulding, Webber, White—17.

The nays were:

Allen, Arney, Balluff, Chase, Cowles, Crist, Crow, Dunnegan, Garrett, Hagemann, Heald, Hilsinger, Malmberg, Mattes, Neal, Nye, Quigley, Ream, Robinson, Savage, Sheean, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—26.

Absent or not voting:

Darrah, DeWolf, Jewell, Kimball, Legel, McManus, Perkins—7.

So the motion was lost.

Senator Cowles moved that the motion filed for reconsideration of the vote by which Senate File No. 92 passed the Senate, be taken up for consideration at this time.

On this motion, a roll call was demanded.

The ayes were:

Allen, Arney, Balluff, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Dunnegan, Garrett, Gillette, Hagemann, Heald, Hilsinger, Legel, Malmberg, Mattes, McManus, Neal, Nye, Quigley, Robinson, Savage, Sheean, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

Ames, Balkema, Doran, Farr, Fellows, Jones, Larrabee, McColl, Perkins, Schrup, Spaulding, Webber, White—13.

Absent or not voting:

Boe, Darrah, Francis, Jewell, Kimball, Ream, Smith, Thomas —8.

Motion carried.

THIRD READING OF BILLS.

Time having arrived for special order, Senate File No. 439, a bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employers with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund, was taken up and considered.

Senator Balkema offered the following amendment and moved its adoption:

Strike out section 11 and substitute the following therefor:

Sec. 11. All bills for road work, culvert and bridge construction or for repairs designated by the engineer, shall be filed in itemized form and

certified to by the engineer before being allowed by the board and before warrants in payment therefor are drawn by the county auditor. Before any warrant shall be issued by the county auditor upon the funds of the county road system in payment for any work or construction of highways, except for dragging, maintenance or repairs not designated by the engineer, he must secure on the bill the certificate of the engineer employed by the board of supervisors, that such improvement has been made in accordance with the plans and specifications as herein provided, and when so endorsed, warrants may be drawn for the amount so certified by the county engineer; but if said engineer make said certificate when said work was not done in accordance with the plans and specifications, and same be not properly made good without additional cost, then the full cost of making same good may be recovered upon said engineer's bond, and his bond shall be liable therefor.

Partial payments may be allowed by the board on contract work on the basis of the engineer's certified estimates and the percentages specified in the standard specifications of the state highway commission.

Repair work shall be known as work not designated by the highway engineer and work of a temporary character or of immediate necessity and work necessary to maintain finished roads completed under this act.

A violation of this section shall render the county auditor liable on his bond for the amount of said warrant.

Adopted.

Senator Balkema offered the following amendment and moved its adoption:

I move to amend section 12 by inserting after the word "received" and before the word "shall" in the eleventh line of said section of the printed bill: "Shall be publicly opened at the time and place specified in the advertisement, and".

Adopted.

Senator Balkema offered the following amendment and moved its adoption:

Strike out section 13 and substitute the following:

Sec. 13. At every February meeting, or as soon thereafter as possible, the township trutsees of each township shall select from its township road system the roads to be dragged for the year, to be known as draggable roads, and shall employ a superintendent of the township road system, who shall give bond for the faithful performance of his duties in such sum as the township trustees may direct. Said superintendent shall have the

general supervision of all dragging and repair work on the township road system, whose term of office and compensation shall be at the discretion of the township trustees. He shall see that the approaches to all the bridges on the said roads are maintained in such manner as to present smooth and uniform surfaces; keep the openings to all culverts and ditches free from weeds, brush and other material that will in any manner prevent the free discharge of surface water. He shall have charge of all draggable roads of the township road system and make contracts for dragging, and shall see that all draggable roads of the township road system are properly dragged at such times as are necessary to maintain such roads in a smooth condition, at such price as is reasonable and necessary to secure such contracts. For this purpose there shall be expended, under the direction of the township trustees, through the road superintendent, upon the township road system not less than the one mill drag tax now authorized by law.

The township trustees shall not allow any bills for dragging, maintenance, or repair work, nor shall warrants in payment therefor be drawn by the township clerk upon funds of the township road system until itemized bills therefor shall have been certified to by the township road superintendent. A violation of this section shall render the township clerk liable on his bond for the amount of said warrant. The compensation of such superintendent for all duties, including any dragging actually performed by him, and the cost of all equipment for dragging, shall be paid for out of the township road funds. He shall at least once each year, or on demand, furnish the township trustees a report of all work done under and by him.

Adopted.

Senator Balkema offered the following amendment and moved its adoption:

I move to amend section 18 by adding before the first word of said section the following: "The board of supervisors shall require all contractors to give a bond for the faithful performance of the contract, in such sum as the board of supervisors may deem necessary."

Adopted.

Senator Balkema offered the following amendment and moved its adoption:

Amend section 18 so that lines 9 and 10 of the printed bill will read as follows: "No contract shall be valid which seeks to limit the time to less than five (5) years in which an action may be brought upon the bond covering concrete work nor to less than one year upon the bond covering other work."

Adopted.

Senator Balkema offered the following amendment and moved its adoption:

Move to amend this bill by adding after the period in line 6, section 1, the following words: "Such commission when appointed shall fill the interim between the taking effect of this act and July 1, 1913."

Adopted.

Senator Smith was called to the chair at 11 o'clock A. M.

Senator Doran offered the following amendment and moved its adoption:

I move to amend by substituting the following for the pending bill as amended:

A BILL for an Act to Provide for the Organization and Management of Local Road Districts in the State, and Providing Bounties for all Permanent Roads Constructed in Accordance with all the Provisions of this Act.

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

Section 1. Whenever the owners of not less than sixty per cent of all the land included in a local road district shall file a petition and an engineer's plat showing the boundaries and the total mileage of road in the local road district sought to be organized with the clerk of the township, having the largest portion of the land sought to be organized into a local road district, it shall be the duty of the trustees to give not less than twenty days notice to all the resident land owners of the district, and by mailing a registered letter and notice to the last known postoffice address of all non-resident land owners of the time and place, for holding a hearing upon the petition; and remonstrance: if any are filed five days before the day set for hearing the same.

Sec. 2. The trustees of the township having the greatest number of acres of land in the proposed district with whom jurisdiction is hereby lodged, shall have authority to send for persons and papers to examine witnesses, and if the petition is found to be sufficient and the local road district found to be necessary and proper, and that the public interest would be benefited thereby, they shall establish the local road district or as much thereof as shall be found to be the best interest of the public, and cause the township clerk to copy all proceedings in the township records together with the engineer's plat filed in his office.

Sec. 3. When a local road district is established in accordance with this act, the township clerk shall give not less than ten days notice by posting up three notices in three of the most public places in said district of the

time and place, when and where an election will be held for the purpose of electing three managers and a secretary for said local road districts. who shall hold their offices until the first Tuesday after the first Monday in April following their election, and their successors shall be elected annually on the above day thereafter for the term of one year each.

Sec. 4. The board of managers shall organize by electing one of their number president, one treasurer and one road master. The president shall preside at all meetings and issue all orders for money. The treasurer shall receive all money of the district and pay it out on the orders of the president countersigned by the secretary and report annually all the transactions of his office. The road master shall have charge of the maintenance of the roads of the district, and shall superintend all road construction as directed by the board of managers. All the above described officers shall receive for their services, twenty-five cents per hour for all time actually employed in the services of the local road district.

Sec. 5. The secretary shall keep an accurate account of all money received and paid out, together with an itemized account, giving dates of the time when received and when paid out and from whom received, and to whom paid. The secretary shall countersign all orders for money issued by the president and keep a record of all orders so countersigned, and report annually to the board of managers all the transactions of his office.

Sec. 6. The township clerk of all township in this state in which there are one or more local road districts, shall pay over to each local road district all money in his hands that was raised upon the property of such district or districts, upon the order of the president, countersigned by the secretary of that district.

Sec. 7. Every local road district organized under the provisions of this act shall be entitled to its pra rata share of all money and property belonging to the township in which it is located and shall be liable for its pro rata share of all indebtedness.

Sec. 8. All local road districts organized under the provisions of this act, and any other territorial division of roads in this state, shall be entitled to its proportionate share of all money derived from the state automobile license, upon the following conditions, viz.: for every completed mile of permanent road made in any district in this state, and approved by the Iowa State Highway Commission, that district or other division of road territory shall receive $100.00 out of all unexpended automobile license tax that the county in which such improvement is made, shall be entitled to.

On the adoption of the amendment, a roll call was demanded.

The ayes were:

Chase, Doran, Wilson of Clinton—3.

The nays were:

Allen, Ames, Balkema, Balluff, Boe, DeWolf, Dunnegan, Farr, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Malmberg, Mattes, McManus, Neal, Perkins, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—30.

Absent or not voting:

Arney, Clarkson, Chase, Crist, Crow, Darrah, Fellows, Jewell, Kimball, Legel, McColl, Nye, Quigley, Ream, Savage, Schrup, Sheean—17.

So the amendment was lost.

Senator Allen offered the following amendment and moved its adoption:

I move to amend section four by inserting after the comma following the word "county" in line one of the printed bill, the following words and punctuation: "With the approval of the state highway commission,".

President Harding resumed the chair at 12 M.

By unanimous consent further consideration of the bill was postponed.

A committee from the Pioneer Lawmakers' Association appeared and announced that the association was in session, and extended an invitation to the Senate to be present at the session of the association.

REPORTS OF COMMITTEES.

Senator Farr, from the committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT—Your committee on Horticulture and Forestry, to whom was referred Senate File No. 351, a bill for an act to promote horticulture by the creation of new and better adapted varieties through scientific cross-breeding and selection, and to make an appropriation therefor, beg leave to report they have had the same under consideration and

recommend the same be referred to the committee on Appropriations, and we unanimously recommend the bill for passage.

E. P. FARR,
Chairman.

Senator Farr moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Senator Thomas, 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. 157, a bill for an act to amend the law as it appears in section two thousand three hundred and nine (2309) of the Code of the state of Iowa relating to compensation of commissioners of insanity, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

C. H. THOMAS,
Chairman.

Senator Thomas moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate File No. 288, a bill for an act to amend section one (1) of chapter fifteen (15), acts of the Thirty-fourth General Assembly, relating to salaries of clerks of the district courts in certain counties, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

C. H. THOMAS,
Chairman.

Senator Thomas moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate File No. 380, a bill for an act to repeal the law as it appears in section two hundred fifty-four-a-eighteen (254-a-18), of the Supplement to the Code, 1907, as amended by chapter ten (10), acts of the Thirty-fourth General Assembly, and to enact a substitute therefor, relating to the appointment, duties and compensation of probation officers, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out of section one (1), line nineteen (19), the words and figures "one hundred ($100.00)" and substituting therefor the words and figures "seventy-five ($75.00)"; and when so amended the bill do pass.

C. H. THOMAS,
Chairman.

Ordered passed on file.

Senator Fellows, from the committee on Commerce and Trade, submitted the following report:

MR. PRESIDENT—Your committee on Commerce and Trade, to whom was referred Senate File No. 163, a bill for an act to repeal the law as it appears in section five thousand twenty-eight-b (5028-b), Supplement to the Code, 1907, and chapter two hundred twenty-two (222), acts of the Thirty-third (33d) General Assembly, amendatory thereof, and to enact a substitute therefor relating to unfair discrimination and competition in any commodity or article of commerce between sections, communities, localities, cties or towns, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. M. FELLOWS,
Chairman.

Senator Fellows moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Commerce and Trade, to whom was referred House File No. 85, a bill for an act to repeal section five thousand twenty-eight-b (5028-b), Supplement to the Code, 1907, and chapter two hundred twenty-two (222), laws of the Thirty-third (33d) General As-

sembly, amendatory thereof, and to enact a substitute therefor relating to unfair discrimination in any commodity of commerce between different sections, localities, communities, cities or towns, beg leave to report they have had the same under consideration and recommend the same do pass.

A. M. FELLOWS,
Chairman.

Ordered passed on file.

Senator Hilsinger, from the committee on Board of Control and its Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate Concurrent Resolution, by Clarkson, requesting and directing bodies in charge of state institutions to purchase their fuel from Iowa mines, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the period at the close thereof, substituting therefor a comma, and adding the following words: "when such fuel can be purchased upon reasonably favorable terms."; and when so amended the concurrent resolution do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 160, a bill for an act to provide for the transfer of inmates of the Industrial School to the Reformatory for the purpose of safe-keeping, training and disciplining, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

G. E. HILSINGER,
Chairman.

Senator Hilsinger moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Ames, 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 provide for the payment of bounties for killing crows, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the word "ten" in the second line of section one (1) and inserting in lieu thereof the word "twenty"; and when so amended the bill do pass.

A. L. AMES,
Chairman.

Ordered passed on file.

Senator Doran, from the committee on Labor, submitted the following report:

MR. PRESIDENT—Your committee on Labor, to whom was referred Senate File No. 289, a bill for an act to amend the law as it appears in section twenty-four hundred seventy-two (2472) of the Supplement to the Code, 1907, and section twenty-four hundred seventy-four (2474) of the Code, and to repeal section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, and chapter one hundred forty-four (144) of the acts of the Thirty-third (33d) General Assembly amendatory to section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, and to enact a substitute therefor, all relating to the Bureau of Labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

JUSTIN R. DORAN,
Chairman.

Ordered passed on file.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 200, a bill for an act to enable the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg, and to appropriate money therefor and provide for the disbursement thereof, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Strike out the words and figures "ten thousand ($10,000.00) dollars" in the second line of section one, and in lieu thereof insert the words and figures "five thousand dollars ($5,000.00)"; also strike out from the eighth and ninth lines of section one the words "the actual expense of" and insert in lieu thereof the words "such assistance as the commission herein provided shall judge needed toward paying the"; also strike out the following words in the thirteenth, fourteenth and fifteenth lines of section one: "For the governor of Iowa and his staff, for attendance at the said celebration, there shall be allowed the like expense of transportation for each person;" and when so amended the bill do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 229, a bill for an act to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organizations and in the navy from Iowa during the Civil war at a home coming during the State G. A. R. Encampment at Des Moines, Iowa, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Strike out the words and figures "three thousand dollars ($3,000.00)" in the second line of section one, and insert in lieu thereof the words and figures "fifteen hundred dollars ($1500.00)" and also strike out the word "entertain" in the fourth line of section one and substitute in lieu thereof the words "furnish meals and lodging to", and also add to section two the following: "who shall render an itemized account of all expenditures to the state auditor"; and when so amended the bill do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled bills respectfully report that they have examined and find correctly enrolled Senate File No. 135, a bill for an act to amend section 3377 of the Code, relating to the election between the distributive share and occupancy of homestead by surviving spouse and setting off such distributive share.

Also:

Substitute for Senate File No. 103, a bill for an act declaring the emission of smoke within the corporate limits of certain cities, including cities acting under special charter, to be a public nuisance and conferring upon such cities additional powers for the abatement of such nuisances and repealing chapter thirty-seven (37) of the laws of the Thirty-fourth General Assembly.

Also:

Substitute for Senate File No. 192, a bill for an act additional to chapter five (5), title ten (10) of the Code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 135, a bill for an act to amend section 3377 of the Code, relating to the election between the distributive share and occupancy of homestead by surviving spouse and setting off such distributive share.

Also:

Substitute for Senate File No. 103, a bill for an act declaring the emission of smoke within the corporate limits of certain cities, including cities acting under special charter, to be a public nuisance and conferring upon such cities additional powers for the abatement of such nuisances and repealing chapter thirty-seven (37) of the laws of the Thirty-fourth General Assembly.

Also:

Substitute for Senate File No. 192, a bill for an act additional to chapter five (5), title ten (10) of the Code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate File No. 135 and substitute for Senate File No. 103 and substitute for Senate File No. 192.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 135, a bill for an act to amend section 3377 of the Code, relating to the election between the distributive share and occupancy of homestead by surviving spouse and setting off such distributive share.

Also:

Substitute for Senate File No. 103, a bill for an act declaring the emission of smoke within the corporate limits of certain cities, including cities acting under special charter, to be a public nuisance and conferring upon such cities additional powers for the abatement of such nuisances and repealing chapter thirty-seven (37) of the laws of the Thirty-fourth General Assembly.

Also:

Substitute for Senate File No. 192, a bill for an act additional to chapter five (5), title ten (10) of the Code, to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same.

JOHN H. TAYLOR,
Chairman.

Passed on file.

Senator Chase offered the following concurrent resolution:

CONCURRENT RESOLUTION.

WHEREAS: The Pioneer Lawmakers' Association of Iowa are in session in the city of Des Moines; and,

WHEREAS: It has heretofore been customary to invite said body to hold one or more of its sessions with one or both houses of the General Assembly; and,

WHEREAS: On Thursday, March 20th, a joint session of the General Assembly will be held in honor of the late Governor William Larrabee; therefore,

Be it resolved by the Senate, the House concurring, That we invite the Pioneer Lawmakers to be the guests of the General Assembly at the time of the holding of the memorial in honor of the late Governor William Larrabee, and that the necessary arrangements be made for receiving them at that time.

Resolved further, That a committee of one from the Senate and two from the House be appointed to extend the invitation.

Senator Chase moved the adoption of the resolution.

Adopted.

The president appointed as such committee on the part of the Senate, Senator Quigley.

Senator Clarkson called up the resolution introduced by him relative to extending an invitation to Secretary W. J. Bryan to address the general assembly on March 20th, and moved that the resolution be amended so as to read: "at such time on said date to be arranged for by the committee as will not conflict with the Larrabee memorial exercises."

The amendment was adopted.

The resolution as amended was adopted.

The president appointed as such committee on the part of the Senate, Senators Clarkson and Doran.

Senator Smith moved that the invitation extended the Senate by the Pioneer Lawmakers' Association be accepted, and that the president appoint a committee of three to visit such session.

The president appointed as such committee, Senators Smith, Malmberg and Wilson of Clinton.

REPORTS OF COMMITTEES.

Senator Thomas, 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. 384, a bill for an act to amend the law as it appears in sections four hundred ninety (490) of the Supplement to the Code, 1907, and four hundred ninety-one (491) of the Code, 1897,

relating to the compensation of county treasurers and their deputies, beg leave to report they have had the same under consideration and recommend the same do pass.

C. H. THOMAS,
Chairman.

Ordered passed on file.

Senator Larrabee, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 327, a bill for an act to amend section two thousand seventy-seven (2077) of the Supplement to the Code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state, at which fairs or expositions are or may hereafter be held, beg leave to report they have had the same under consideration and recommend the same do pass.

FREDERIC LARRABEE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 378, a bill for an act to amend section twenty-one hundred thirteen (2113) of the Supplement to the Code, 1907, as amended by chapter one hundred twenty-seven (127) of the acts of the Thirty-third General Assembly, relating to the powers of the board of railroad commissioners, beg leave to report they have had the same under consideration and recommend the same do pass.

FREDERIC LARRABEE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 321, a bill for an act amending section two thousand one hundred fifty-seven-g (2157-g) of the Supplement to the Code, 1907, relating to the free issuing of transportation by common carriers of passengers in certain cases, beg leave to report they have had the same under consideration and recommend the same be indefinitely postpond.

FREDERIC LARRABEE,
Chairman.

Senator Larrabee moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 102, a bill for an act defining the number of employes necessary to constitute a full crew for railroad trains and yard service, providing a limit for the number of cars constituting a train and providing penalties for the violation thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

FREDERIC LARRABEE,
Chairman.

Senator Larrabee moved the adoption of the report of the committee.

Senator Doran moved as a substitute that Senate File No. 102 be placed on the calendar.

On this motion, a roll call was demanded.

The ayes were:

Doran, Farr, Garrett, Gillette, Jones, McColl, Neal, Quigley, Sullivan, Wilson of Appanoose, Wilson of Clinton—11.

The nays were:

Balkema, Balluff, Cowles, DeWolf, Fellows, Hagemann, Heald, Hilsinger, Kimball, Larrabee, Malmberg, Nye, Robinson, Savage, Sheean, Smith, Spaulding, Taylor, Webber, White—20.

Absent or not voting:

Allen, Ames, Arney, Boe, Chase, Clarkson, Crist, Crow, Darrah, Dunnegan, Francis, Jewell, Legel, Mattes, McManus, Perkins, Ream, Schrup, Thomas—19.

Motion lost.

On the motion to adopt the report of committee, a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Balkema, Balluff, Boe, Cowles, Crist, DeWolf, Fellows, Francis, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, Neal, Nye, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber—28.

The nays were:

Doran, Farr, Gillette, McColl, Ream, Wilson of Appanoose, Wilson of Clinton—7.

Absent or not voting:

Arney, Chase, Clarkson, Crow, Darrah, Dunnegan, Garrett, Jewell, Legel, McManus, Perkins, Quigley, Schrup, Thomas, White—15.

So the motion prevailed and Senate File No. 102 was indefinitely postponed.

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

RESOLUTION.

WHEREAS: The Honorable C. Hedges, one of the old time pioneers of Iowa county, Iowa, for over fifty-four years, and an active and honored member of the Iowa Senate in the Eighteenth General Assembly from the Iowa county district, passed away at his home in Marengo, Iowa, on the 26th day of February, 1913; therefore,

Be it resolved, That a committee of three (3) be appointed by the president of the Senate to prepare and submit resolutions to commemorate his life, character and service to the state.

Adopted.

The president appointed as such committee, Senators White, Gillette and Hilsinger.

INTRODUCTION OF BILLS.

By Senator Sullivan, Senate File No. 464, a bill for an act to amend the law relating to transportation charges by carriers as the same appears in section twenty-one hundred twenty-three (2123) of the code.

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

By Senator Sullivan, Senate File No. 465.

A BILL for an Act to Legalize the Special Election held in the City of Valley Junction, Iowa, on the 14th Day of March, 1913, Wherein there was Submitted to the Voters of Said City the Question of Purchasing or Erecting and Establishing a Water Works and Electric Light and Power Plant, and also the Question of the Issuance of Bonds in a Sum Not to Exceed $65,000.00 for Water Works and Electric Light and Power Plant Purposes, and to Validate and Legalize the Proceedings of the City Council had in Relation to Said Special Election Preliminary to the Holding Thereof, and to Legalize the Ballots Used at Said Special Election; the Acts of the Election Boards in the Conduct of Said Election and in Making the Returns Thereof; the Action of the City Council in Canvassing the Returns of Said Election and Declaring the Result Thereof, and to Legalize the Bonds to be Issued in Pursuance Thereof.

WHEREAS: On the 14th day of January, A. D. 1913, there was submitted to the city council of the city of Valley Junction, Polk county, Iowa, a petition as follows, to-wit:

"To the City Council, City of Valley Junction, Iowa:

The qualified electors of the city of Valley Junction, Iowa, whose signatures are to this petition hereinafter signed, respectfully represent: That they desire that the city of Valley Junction expend not to exceed sixty-five thousand dollars ($65,000.00) for the purchase or building, erection and furnishing of a water works and electric light and power plant in said city, to be owned and operated by the city of Valley Junction, Iowa; that said water works and electric light and power plant is necessary for the public benefit and cannot be purchased or built, erected and furnished within the limit of one and one-quarter percentum (1¼%) of the valuation of the property located in said city.

Wherefor, said qualified electors of said city of Valley Junction, Iowa, whose signatures are affixed hereto, petition your honorable body to call an election for the purpose of submitting to said qualified electors whether such expenditures be made or not.

Dated this 6th day of January, A. D. 1913."

Said petition bearing the signatures of three hundred and thirty-seven (337) qualified electors of said city, and

WHEREAS: At the next regular meeting of the city council held on the 3rd day of February, 1913, said council duly passed a resolution authorizing empowering and instructing the mayor of said city to issue and have

published a proclamation of the holding of a special election in said city, for the purpose of voting on the question of issuing bonds for water works and electric light and power plant purposes, and

WHEREAS: Said council at the same meeting duly passed a resolution ordering the submission to a vote of the qualified electors of said city, the following proposition, to-wit:

"Shall the city of Valley Junction, Polk county, Iowa, purchase or erect and establish a water works and electric light and power plant in and for said city?" and

WHEREAS: Said resolutions provided for the holding of said special election on March 14, 1913, and

WHEREAS: The mayor of said city, pursuant to said resolutions issued and published notice of said special election in the Valley Express, a weekly newspaper published in said city, for four consecutive weeks, the last publication of which was on February 27, 1913, and

WHEREAS: Pursuant to said petition, resolutions and notice aforesaid, there was submitted to the qualified electors of said city at said special election held in said city on the 14th day of March, 1913, the said public measures in the following form, to-wit:

"Shall the city of Valley Junction, Polk county, Iowa, purchase or erect and establish a water works and electric light and power plant, in and for said city?

Yes ☐

No ☐

For the issuance of bonds in a sum not to exceed $65,000.00 for a water works and electric light and power plant purposes. ☐

Against the issuance of bonds in a sum not to exceed $65,000.00 for a water works and electric light and power plant purposes. ☐

Those in favor of purchasing or erecting and establishing a water works and electric light and power plant in said city will put a cross (X) in the square after the word "Yes."

Those not in favor of purchasing or erecting and establishing a water works and electric light and power plant in said city will put a cross (X) in the square opposite the word "No."

Those in favor of issuing bonds for water works and electric light and power plant purposes, will mark a cross (X) in the square opposite the "For the issuance of bonds," etc.

Those not in favor of issuing bonds for water works and electric light and power plant purposes will mark a cross (X) in the square opposite the "Against the issuance of bonds," etc., and

WHEREAS: More than a majority of the legal electors voting at said election as shown by the official canvass of said vote, voted in favor of the first of said public measures above set forth, and more than two-thirds of the legal electors voting at said special election, as shown by the official canvass, voted for the issuance of bonds as indicated in the second of the public measures above set forth, and

WHEREAS: Doubts have arisen as to the regularity of the resolutions passed by said city council, the legality of said petition on which said special election was called; the notice of said election and publication thereof; the legality of the questions submitted and the manner and form in which the same were submitted; the legality of said election by reason of the failure of certain judges thereof to endorse their initials on the back of the ballots, as required by law; the failure of the election boards to proclaim the result as by law required; the action of the city council in canvassing the returns of said election and declaring the result thereof, and as to the legality of the bonds to be issued in pursuance of said special election, therefore

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

Section 1. That the proceedings of the city council of the city of Valley Junction, Polk county, Iowa, concerning and providing for the submission to the qualified electors of said city of the proposition to purchase or erect and establish a water works and electric light and power plant in and for said city, and for the issuance of bonds in a sum not to exceed $65,000.00 for water works and electric light and power plant purposes; the petition submitted to the city council therefor; the resolutions of the city council ordering the submission of said propositions to a vote of the qualified electors; the notice of such submission; the time, form and publication thereof; the form of ballot submitted at said election; the returns and canvass thereof and the declaration of the result of said election; and all acts and proceedings of said city council prior or subsequent to the holding of said special election, whether herein particularly specified or not, had and done in relation and with reference to said proposition to purchase or erect and establish a water works and electric light and power plant, and the proposition for the issuance of bonds in a sum not to exceed $65,000.00; and the acts and omissions of certain election judges in connection with the conduct of said special election, and each of them, be, and they are hereby legalized and validated as fully and completely as though the law had in all things been fully and technically complied with in every respect, and said bonds, whether issued or to be issued, shall be the valid and binding obligation of said city of Valley Junction, Iowa. This act shall in no wise affect pending litigation.

Sec. 2. In effect. This act being deemed of immediate importance, shall take effect from and after its publication in the Valley Express, a newspaper published in Valley Junction, Iowa, and the Register and Leader, a newspaper published in Des Moines, Iowa, without expense to the state.

Approved, March ....., 1913.

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

By committee on Board of Control and its Institutions, Senate File No. 466, a bill for an act to authorize the board of supervisors of each county in this state to make provision for the segregation, care and support of indigent persons afflicted with pulmonary tuberculosis in advanced stages.

Read first and second time and placed on calendar.

By Senator Farr, Senate File No. 467, a bill for an act to prohibit the removal or destruction of articles or things placed in public highways for the purpose of guarding or inclosing unsafe places therein and providing penalties for a violation thereof.

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

By Senator Farr, Senate File No. 468, a bill for an act to enable railroad employees, traveling salesmen and other electors required by their duties or their occupations to be absent from their voting precincts on the day of any general election, to cast their votes wherever in the state they may be and providing penalties for violation of its provisions.

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

Senator Savage moved that the Senate do now adjourn until 1:30 P. M.

Senator Sullivan moved as a substitute, that time of adjournment be fixed at 9 o'clock A. M., tomorrow.

The amendment was adopted.

Motion as amended prevailed.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, MARCH 20, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. Howland Hanson, Des Moines, Iowa.

Senator Chase was called to the chair at 9:10.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House File No. 380, a bill for an act to fix and declare the liability of persons, firms or private corporations, entering into contracts in the state of Iowa, or with any county, city, town, city organized under special charter, etc., and to provide for immunity to witnesses in proceedings to establish such liability.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 440, a bill for an act to amend the law as it appears in section 3447 of the Code and to fix the time within which certain actions for the recovery of real estate may be brought.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 575, a bill for an act to provide for the restoration of lost or destroyed public records.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 repeal section 5028 of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the prevention and punishment of the desecration, mutilation or improper use of the flag of the United States of America and the flag of the state of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 517, a bill for an act to direct the governor to direct the attorney general to appear in certain cases, for and on behalf of the counties, cities, towns, etc., and to employ additional legal assistance in such cases and providing for payment therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 relative to the time of bringing an action to set aside a will.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 249, a bill for an act making an appropriation to reimburse certain employes of the Iowa school for the deaf for loss of wearing apparel by fire at said school on the 23rd day of April, 1911.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 191, a bill for an act authorizing the commission of Pharmacy of the state of Iowa to pay L. Rasmussen the sum of $100.00 paid by him for a license as an itinerant vendor of drugs.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 381, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines, and biological products at the Iowa State College and for the repeal of chapter 151 acts of the Thirty-third General Assembly and chapter 114 acts of the Thirty-fourth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 335, a bill for an act to amend the law as it appears in sub-division 5, section 1709 of the Supplement to the Code, relating to health, accident and liability insurance.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 to amend the law as it appears in section 2428 of the Code, relating to the duties of peace officers.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 647, a bill for an act for the relief of M. O. Clemens for personal injuries sustained by him while employed as engineer in the state sanatorium for the treatment of tuberculosis at Oakdale, Iowa, and making an appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 authorize the sale and conveyance of certain lands.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 30, a bill for an act to amend section 2727-c of the Supplement to the Code 1907, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home at Davenport.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 amend section 4823 of the Code, pertaining to malicious mischief and trespass.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 legalize an ordinance of the incorporated town of Sheldahl, Iowa, granting a franchise to Boone Electric Company, to erect, maintain and operate an electric power plant in said town.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 legalize certain conveyances and other instruments of writing affecting real estate.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 488, a bill for an act to repeal section 475 of the Code and an act to substitute therefor, relating to the criminal statistics to be kept by the county auditor, and the reporting of same by the county auditor to the clerk of the district court.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 445, a bill for an act to confirm the title of Anna L. Edgar to certain lands and authorizing the issuance of a patent therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 509, a bill for an act to repeal section 1 of chapter 49 of the acts of the Thirty-fourth General Assembly relating to the improvement of water fronts in cities acting under special charter and conferring additional powers upon said cities, and to enact a substitute in lieu thereof.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House File No. 525, a bill for an act to authorize and empower the governor of the state of Iowa to issue land patent attested by secretary of state to and in favor of John Vesely, conveying certain real estate located in Johnson county, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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

House Joint Resolution No. 2, proposing an amendment to the constitution of the state of Iowa, authorizing and empowering the General Assembly to provide for the rendition of verdicts in proceeding other than criminal proceedings, by a less number than the entire jury.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 266, a bill for an act to amend the law as it appears in section 741-o Supplement to the Code, 1907, relating to the election of city hospital trustees.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 231, a bill for an act to amend the law as it appears in chapter 83 acts of the Thirty-third General Assembly, relating to the issuance of bonds in cities and towns.

A. C. GUSTAFSON,
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. 139, a bill for an act to amend the law as it appears in section 5707 of the Supplement to the Code of 1907, relating to the breaking of stone.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 180, a bill for an act to amend the law as it appears in section 2727-a64, of the Supplement to the Code, 1907, relating to removal of patients from county asylum and providing for the expense thereof.

A. C. GUSTAFSON,
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. 127, a bill for an act to amend the law as it appears in section 2754 of the Supplement to the Code, 1907, relating to the election of officers in independent school districts in cities and towns.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 391, a bill for an act to legalize the proceedings of the city council of the city of Tipton, Iowa, for the construction of a sewer system.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 221, a bill for an act legalizing the ordinances, resolutions and acts of the council of the incorporate town of Pacific Junction in Mills county, so far as affected by the election of six members of said council instead of five.

A. C. GUSTAFSON,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Dunnegan presented seventy petitions of traveling salesmen throughout Iowa, favoring the passage of Senate File No. 232.

Referred to committee on Elections.

Senator Allen presented a remonstrance of citizens of Laurens, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Fellows presented a remonstrance of citizens of Fayette and Allamakee counties protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balluff presented a remonstrance of citizens of Scott county protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Balkema presented a remonstrance of citizens of Rock Rapids, Little Rock and Ellsworth protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Crow presented a remonstrance of citizens of Modale protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a remonstrance of citizens of Story county protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Schrup presented a remonstrance of citizens of Dubuque county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Savage presented a remonstrance of citizens of Adair county protesting against permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a remonstrance of citizens of Breda, protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Kimball, Senate File No. 469, a bill for an act authorizing cities and towns to create sanitary districts.

Read first and second time and referred to committee on Cities and Towns.

By Senator Crow, by request, Senate File No. 470, a bill for an act to provide for the examination and licensing of auctioneers, regulating the calling, business and vocation of an auctioneer and providing punishment for the violation of the same.

Read first and second time and referred to committee on Commerce and Trade.

HOUSE MESSAGES CONSIDERED.

House File No. 380, a bill for an act to fix and declare the liability of persons, firms or private corporations, entering into contracts with the state of Iowa, or with any county, city, town, city organized under special charter, school corporation or with any municipal corporation now existing or hereafter created and to provide for immunity to witnesses in proceedings to establish such liability, and to fix and declare the measure of damages for violation of this act.

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

House File No. 440, a bill for an act to amend the law as it appears in section three thousand four hundred and forty-seven (3447) of the code and to fix the time within which certain actions for the recovery of real estate may be brought.

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

House File No. 575, a bill for an act to provide for the restoration of lost or destroyed public records.

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

House File No. 323, a bill for an act to repeal section five thousand twenty-eight-a (5028-a) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the prevention and punishment of the desecration, multilation or improper use of the flag of the United States of America and the flag of the state of Iowa.

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

House File No. 517, a bill for an act to authorize the governor to direct the attorney general to appear in certain cases, for and on behalf of the counties, cities, towns, and other municipalities and officers and contractors thereof and to employ additional legal essistance in such cases and providing for payment therefor.

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

House File No. 192, a bill for an act to amend the law as it appears in paragraph three (3) of section three thousand four hundred forty-seven (3447) of the code, relating to the time of bringing an action to set aside a will.

Read first and second time and referred to committee on Judiciary.

President Harding resumed the chair at 9:20.

House File No. 249, a bill for an act making an appropriation to reimburse certain employes of the Iowa school for the deaf. for loss of wearing apparel, by fire, at said school, on the 23d day of April, 1911.

Read first and second time and referred to committee on Claims.

House File No. 191, a bill for an act authorizing the commission of pharmacy of the state of Iowa to pay to L. Rasmussen the sum of $100.00 paid by him for a license as an itinerant vendor of drugs.

Read first and second time and referred to committee on Claims.

House File No. 381, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa State College of Agriculture and Mechanic Arts, under the supervision of the president of said college, to abandon the institution for manufacturing of hog cholera serum now being operated by the state of Iowa, to regulate the sale of hog cholera serum, to provide penalties for the violation of said regulations, and to make an appropriation therefor, and for the repeal of chapter one hundred fifty-one (151) acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) acts of the Thirty-fourth General Assembly.

Read first and second time and referred to committee on Agriculture.

House File No. 335, a bill for an act to amend the law as it appears in sub-division five (5) section one thousand seven hundred and nine (1709) of the supplement to the code, 1907, relating to health, accident and liability insurance.

Read first and second time and referred to committee on Insurance.

House File No. 278, a bill for an act to amend the law as it appears in section twenty-four hundred twenty-eight (2428) of the code, relating to the duties of peace officers.

Read first and second time and referred to committee on Judiciary.

House File No. 647, a bill for an act for the relief of M. O. Clemens for personal injuries sustained by him while employed as engineer in the state sanatorium for the treatment of tuberculosis at Oakdale, Iowa.

Read first and second time and referred to committee on Claims.

House File No. 375, a bill for an act to authorize the sale and conveyance of that part of the west half (W. ½) of the southwest qurter (S. W. ¼) of section numbered nineteen (19) in township numbered seventy-eight (78) north of range numbered four (4) east of the fifth principal meridian bounded by lines described as follows: commencing at a point in the east boundary line of said west half (W. ½) of the southwest quarter (S. W. ¼) twenty-three 12-00 (23.12) chains north of the southeast corner of said west half (W. ½) of the southwest quarter (S. W. ¼), thence running west five (5) chains, thence north nine (9) chains, thence east five (5) chains to said east boundary line, thence south along said boundary line to the place of beginning, subject to recorded highway reservations.

Read first and second time and referred to committee on Board of Control and its Institutions.

House File No. 30, a bill for an act to amend section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code, 1907, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home at Davenport.

Read first and second time and referred to committee on Compensation of Public Officers.

House File No. 356, a bill for an act to amend section four thousand eight hundred twenty-three (4823) of the code pertaining to malicious mischief and trespass.

Read first and second time and referred to committee on Judiciary.

House File No. 385, a bill for an act to legalize an ordinance of the incorporated town of Sheldahl, Iowa, granting a franchise to Boone Electric company, to erect, maintain, and operate an electric power plant in said town.

Read first and second time and referred to committee on Judiciary.

House File No. 408, a bill for an act to legalize certain conveyances and other instruments of writing affecting real estate.

Read first and second time and referred to committee on Judiciary.

House File No. 488, a bill for an act to repeal section four hundred seventy-five (475) of the code and enact a substitute therefor relating to the criminal statistics to be kept by the county auditor, and the reporting of same by the county auditor to the clerk of the district court.

Read first and second time and referred to committee on Judiciary.

House File No. 445, a bill for an act to authorize and direct the governor to issue a quit claim deed from the state of Iowa to Anna L. Edgar, covering the west one-half (w½) of the southwest quarter (sw¼) of section two (2), township eighty-nine (89) north, range thirty-four (34), west 5th P. M., Iowa.

Read first and second time and referred to committee on Judiciary.

House File No. 509, a bill for an act to repeal section one (1) of chapter forty-nine (49) of the acts of the Thirty-fourth General Assembly relating to the improvement of water fronts in

cities acting under special charter and enacting a substitute therefor relating to the levee improvement commission in such cities, conferring additional powers upon said cities, and to enact a substitute in lieu thereof. (Additional to chapter fourteen (14) of title five (V) of the code relating to cities under special charter.)

Read first and second time and referred to committee on Cities and Towns.

House File No. 525, a bill for an act to authorize and direct the board of supervisors of Johnson county, Iowa, to issue a quit claim deed to John Vesely, conveying certain real estate located in Johnson county, Iowa, and described more particularly as lot six (6), block nine (9), county seat of Johnson county, Iowa.

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, Authorizing and Empowering the General Assembly to Provide for the Rendition of Verdicts in Proceedings Other Than Criminal Proceedings, by a Less Number than the Entire Jury.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the following amendment to the constitution of the state of Iowa be and the same is hereby proposed: To add to section nine (9) of article one (1) of the constitution of Iowa the following, to-wit:

"In all proceedings tried to a jury, other than criminal proceedings, the General Assembly may provide for the rendition of verdicts by a less number than the entire jury."

Read first and second time.

Senator Wilson of Appanoose moved that House Joint Resolution No. 2 be placed on the calendar.

Motion lost.

House Joint Resolution No. 2 was referred to committee on Constitutional Amendments.

Substitute for Senate File No. 266, a bill for an act to amend the law as it appears in section seven hundred forty-one-o

(741-o) supplement to the code, 1907, relating to the election of city hospital trustees.

Passed on file.

Substitute for Senate File No. 231, a bill for an act to amend the law as it appears in chapter eighty-three (83) acts of the Thirty-third (33) General Assembly relating to the issuance of bonds in cities and towns.

Passed on file.

Senate File No. 180, a bill for an act to amend the law as it appears in section 2727-a64 of the supplement to the code, 1907, entitled "removal of patients from county asylum."

Passed on file.

Senate File No. 391, a bill for an act to legalize the proceedings of the city council of the city of Tipton, Iowa, for the construction of a sewer system.

Passed on file.

Senate File No. 221, a bill for an act legalizing the ordinances, resolutions and acts of the council of the incorporated town of Pacific Junction in Mills county, so far as affected by the election of six members of said council instead of five.

Passed on file.

Senate File No. 139, a bill for an act to amend the law as it appears in section fifty-seven hundred seven (5707) of the supplement to the code of 1907, relating to the breaking of stone.

House amendment: Amend Senate File No. 139 by striking out section 2.

Passed on file.

Senate File No. 127, a bill for an act to amend the law as it appears in section twenty-seven hundred and fifty-four (2754) of the supplement to the code, 1907, relating to the election of officers in independent school districts in towns and cities.

HOUSE AMENDMENT.

Amend the title by inserting after the comma following "1907" in the third line thereof the words and figures, "and section twenty-seven hundred and fifty-six (2756) of the Code," and by striking out the period at the end of said title and substituting therefor a comma, and adding the following, "and the appointment of judges therefor in certain districts."

Amend section one by striking out all of line twenty following the word "places," all of line twenty-one, and all of line twenty-two up to and including the period following the word "election," and inserting in lieu thereof the words, "a sufficient number of ballots."

Amend section one by inserting the word "election" after the word "general" and before the word "laws" in the twenty-fourth line thereof.

Amend by adding the following: "Sec. 2. That section twenty-seven hundred and fifty-six of the Code be and the same is hereby amended by striking out from the second and third lines thereof the words, "one of its number and two," and substituting therefor the word "three"; also by inserting after the period following the word "election" in the fourth line of said section the following: "Such judges may or may not be members of the board, as the board may determine, provided that not more than one member of the school board shall act as such judge at any one voting precinct."

Passed on file.

Senate concurrent resolution relative to extending an invitation to Hon. William Jennings Bryan to address a joint session of the Senate and House.

Senator DeWolf moved that the Senate concur in the following House amendment.

HOUSE AMENDMENT.

Amend concurrent resolution by striking out after the word "representatives" in the third line the following words, "at such time on said date to be arranged for by the committee as will not interfere with the Larrabee memorial exercises," and inserting the following in lieu thereof: "at 11:30 o'clock, today."

Carried.

Resolution as amended was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and concurred in concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution, relative to extending an invitation to Hon. William Jennings Bryan to address a joint session of the Senate and House.

Speaker appoints as such committee on part of the House Representatives Miller of Bremer, Scholz of Clayton and Whitney of Woodbury.

A. C. GUSTAFSON,
Chief Clerk.

REPORTS OF COMMITTEES.

Senator Mattes, 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. 121, a bill for an act to amend the law as it appears in chapter one hundred forty-two (142) acts of the Thirty-third (33d) General Assembly, relating to the number of persons to whom city or town councils may, by resolution, grant consent to sell intoxicating liquors and making the same apply to cities acting under special charter, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 121.

A BILL for an Act to Amend the Law as it Appears in Chapter One Hundred Forty-two (142) of the Acts of the Thirty-third General Assembly Relating to the Number of Persons to Whom City or Town Councils May by Resolution Grant Consent to Sell Intoxicating Liquors and Making the Same Apply 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 chapter one hundred forty-two (142) acts of the Thirty-third General Assembly, be and the same is hereby amended by adding to section two (2) thereof the following: "This act also shall apply to cities acting under special charter and in such cities in which a greater number of persons than are authorized under section one (1) of chapter one hundred forty-two (142), acts of the Thirty-third General Assembly, to keep and sell intoxicating liquors as a beverage under the mulct law now hold resolutions of consent to sell intoxicating liquors at retail, it shall be mandatory under the provisions of this act for the city councils of such cities to cancel or withdraw on July 1, 1913, one-third of the excess of such resolutions of consent over those authorized under section one (1) of said chapter, and on July 1, 1914, one-half of such remaining excess of such resolutions of consent, and on July 1, 1915, all of the excess of such resolutions of consent shall be canceled or withdrawn; provided, however, that from and after the passage of this act all resolutions of consent granted by the council of any city acting under special charter in excess of the number existing in such city at the time of the passage of this act shall be void and of no force and effect."

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, Iowa; and when so amended the bill do pass.

JOS. MATTES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

House File No. 135, a bill for an act to amend the law as it appears in chapter sixty-four (64) of the acts of the Thirty-third (33d) General Assembly as amended by chapters fifty-two (52), fifty-four (54) and fifty-five (55) of the acts of the Thirty-fourth (34th) General Assembly, relating to the government of certain cities.

Also:

House File No. 546, a bill for an act to provide for the terms of court in the fourth and twenty-first judicial districts.

Also:

House File No. 78, a bill for an act to amend the law as it appears in section twenty-one hundred and fifty-seven-s (2157-s) Supplement to the Code, 1907, relating to the transportation of live stock.

Also:

House File No. 446, a bill for an act enabling the board of directors of the independent school district of Tama, Iowa, to compensate a member for services as superintendent of schools.

Also:

House File No. 206, a bill for an act to legalize the ordinances of the town of New Market, Taylor county, Iowa.

Also:

House File No. 293, a bill for an act to legalize the incorporation of Humboldt State Bank, Humboldt, Iowa.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

Senator Savage, from the committee on Public Schools, submitted the following report:

MR. PRESIDENT—Your committee on Public Schools to whom was referred Senate File No. 69, a bill for an act to abolish certain school boards and the office of school treasurer, and to provide for the control and management of the schools by the township trustees, and to make the township the unit of organization, and to provide for the performance of the duties of school treasurer by the county treasurer, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

A. C. SAVAGE,
Chairman.

Senator Savage moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Public Schools to whom was referred House File No. 132, a bill for an act to provide state aid to consolidated schools equipped with two or more rooms and making an appropriation therefor beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Appropriations with the recommendation that the bill do pass.

A. C. SAVAGE,
Chairman.

Senator Savage moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Senator McColl, from the committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your committee on Banks and Banking, to whom was referred Senate File No. 401, a bill for an act to punish the making or use of false statements to obtain property or credit, beg leave to report they have had the same under consideration and recommend the same do pass.

A. M. McCOLL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Banks and Banking, to whom was referred Senate File No. 156, a bill for an act repealing section 1326 of the Code of 1897, and enacting a substitute in lieu thereof relating to the assessment of stock of building and loan associations, beg leave to report they have had the same under consideration and recommend the same be amended as follows: by striking out the word "of" before the figures 1897, in the title of the bill, and that when so amended the bill do pass.

A. M. McCOLL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Banks and Banking, to whom was referred Senate File No. 404, a bill for an act to punish derogatory statements affecting banks, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. M. McCOLL,
Chairman.

Senator McColl moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Legel, from the committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your committee on Pharmacy, to whom was referred Senate File No. 132, a bill for an act to repeal section 2387 and other sections relating to the sale of intoxicating liquors by pharmacists, enacting

a substitute, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN G. LEGEL,
Chairman.

Senator Legel moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Pharmacy, to whom was referred Senate File No. 382, a bill for an act to regulate the compounding manufacture and sale of certain habit forming and other drugs or medicines and preparations containing same, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN G. LEGEL,
Chairman.

Ordered passed on file.

Senator Jones, 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 provide for the establishment of district custodial farms for the detention, treatment and employment of persons convicted of crime; to make provisions for the control and management thereof; to provide what persons convicted of crime shall be kept thereon; and to make an appropriation therefor; beg leave to report they have had the same under consideration and recommend the same be amended as follows: by adding the counties Dubuque and Winona in section 1; and when so amended the bill be referred to the Appropriations committee.

F. F. JONES,
Chairman.

Senator Jones moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred Senate File No. 280, a bill for an act to provide for the employment of prisoners upon the highways of this state, or in the construction and improvement of any public works, beg leave to report they have had the same under consideration and recommend the same be amended as follows: by inserting after the word "but" in the fifth line (5th) of section one (1) and before the word "no" the words "such labor shall not be leased to contractors and"; and when so amended the bill do pass.

F. F. JONES,
Chairman.

Senator Arney, from the committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Educational Institutions, to whom was referred House File No. 372, a bill for an act to define the function of the State Teachers' College at Cedar Falls, the State University at Iowa City and the State College of Agriculture and Mechanic Arts at Ames, beg leave to report they have had the same under consideration and recommend the same for indefinte postponement.

W. H. ARNEY,
Chairman.

Ordered passed on file.

Senator Arney moved the adoption of the report of the committee.

Senator DeWolf moved as a substitute that bill go on the calendar.

Carried.

Senator Larrabee, from the committee on Railroads, sumbitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 418, a bill for an act to require the equipment and maintenance of sanitary closets at railway stations in this state, providing for the regulation and inspection thereof and fixing a penalty for violation of this act, beg leave to report they have had the same under consideration and recommend the same do pass.

FREDERIC LARRABEE,
Chairman.

Ordered passed on file

Senator Mattes from the committee on Appropriations stated that on account of the large number of bills carrying appropriations in the hands of other committees that the committee on Appropriations was unable to comply with section C of rule 20 as to time of making an itemized schedule of all bills carrying appropriations, and asked unanimous consent that time of making such schedule be extended to Monday March 24th.

Consent granted.

THIRD READING OF BILLS

Senate File No. 439, a bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employers with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund.

Senator Allen offered the following amendment as a substitute for the amendment offered by him yesterday:

"Amend section 4 by inserting after the comma following the word "engineers" in line 3 of the printed bill, the following words, "when qualifications shall be approved by the State Highway Commission and."

The amendment to the amendment was adopted.

On the adoption of the amendment as amended a roll call was demanded.

The ayes were:

Arney, Boe, Chase, Cowles, Dunnegan, Francis, Heald, Hilsinger, Kimball, Legel, McManus, Robinson, Savage, Schrup, Smith, Spaulding, Webber, White, Wilson of Clinton—19.

The nays were:

Allen, Ames, Balkema, Balluff, Crow, DeWolf, Doran, Farr, Fellows, Garrett, Gillette, Hagemann, Jones, Larrabee, Malmberg, Mattes, McColl, Nye, Perkins, Ream, Sheean, Sullivan, Taylor, Thomas, Wilson of Appanoose—25.

Absent or not voting:

Clarkson, Crist, Darrah, Jewell, Neal, Quigley—6.

So the amendment was lost.

Senator Allen offered the following amendment and moved its adoption:

Amend section twelve of the printed bill by striking out the words and figures "one thousand ($1,000.00)" in line four and insert in lieu thereof the words and figures, "two hundred ($200.00)"; also strike out the words and figures "one thousand ($1,000.00)" in lines seven and eight and insert in lieu thereof the words and figures "two hundred ($200.00.)"

Senator Allen filed the following motion:

MR. PRESIDENT—I move to reconsider the vote by which the amendment to section 4 offered by Senator Allen failed to pass.

J. H. ALLEN.

Further consideration of the bills was postponed on account of Special Order No. 2.

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:

Senate Concurrent Resolution relative to extending an invitation to the Pioneer Lawmakers' Association of Iowa to attend the memorial held in honor of the late Governor William Larrabee, as guests of the General Assembly. Speaker appoints on the part of the House the following committee: Halgrims of Humboldt, Kelso of Jackson.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

The time having arrived for Special Order No. 2, Senate File No. 48, a bill for an act to repeal the law as it appears in sections four hundred ten (410) and four hundred eleven (411) supplement to the code, 1907, and to enact a substitute therefor relating to the election, compensation, duties and terms of office of county supervisors, was taken up and considered.

Senator Balluff offered the following substitute amendment for the last paragraph of section 4 in the amendment offered by Senator Kimball on March 17th:

"Such districts shall be as nearly equal in area and population as possible and shall embrace territory as nearly contiguous as practicable, each of which districts shall be entitled to one member of the board of supervisors to be nominated and elected by the electors of the whole county and no civil township shall be permitted to have more than forty per cent of the members of the board of supervisors, and no civil township shall be part of more than two supervisors districts."

Adopted.

The amendment by Senator Kimball as amended was lost.

Senator Sullivan offered the following amendment and moved its adoption:

MR. PRESIDENT—I move to amend section one (1) of the substitute for Senate File No. 48 by striking out the words "or city or town," in the last line thereof, and adding a period after the word "township."

Senator Kimball moved that the vote on adoption of amendment offered by him as amended, be reconsidered.

Motion declared out of order.

Senator Jones moved that the bill and pending motions be referred to committee on Elections.

Carried.

Senate resumed consideration of Senate File No. 439, a bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties

of such commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employers with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund.

The amendment by Senator Allen was lost.

Senator Balkema offered the following amendment and moved its adoption:

Amend line 15 of section 5 by inserting after the word "had" and before the word "the" the following "or if agreements have been reached."

Adopted.

Senator Perkins moved the previous question.

Motion lost.

Senator Webber offered the following amendment and moved its adoption:

I move to amend section two (2) of the printed bill by striking out all of said section following the period after the word "commission" in the 3rd line of said section.

Lost.

Senator Chase offered the following amendment and moved its adoption:

Amend section 12 in lines 9 and 10 by striking out the words "or let by private bid," up to "or built by day labor," as it appears in the printed bill.

On the adoption of the amendment, a roll call was demanded.

Those favoring the motion were:

Allen, Chase, Gillette, Kimball, Legel, Ream, Savage, Smith, Webber, White, Wilson of Appanoose, Wilson of Clinton—12.

The nays were:

Ames, Arney, Balkema, Balluff, Boe, Crow, DeWolf, Dunnegan, Farr, Fellows, Francis, Heald, Hilsinger, Jones, Larrabee, Malmberg, Mattes, McColl, Perkins, Quigley, Robinson, Sheean, Spaulding, Sullivan, Taylor, Thomas—26.

Absent or not voting:

Clarkson, Cowles, Crist, Darrah, Doran, Garrett, Hagemann, Jewell, McManus, Neal, Nye, Schrup—12.

So the amendment was lost.

Senator Allen offered the following amendment and moved its adoption:

I move to amend section 12 by striking out the words and figures, "one thousand ($1,000)" in line four and insert the words and figures, "three hundred ($300)", and by striking out the same words and figures in lines 7 and 8 and inserting the words and figures, "three hundred ($300)".

On this motion, a roll call was demanded.

Further consideration of the bill was postponed.

Senator Gillette filed the following motion:

I move to reconsider the vote by which the committee report on House File No. 87 was adopted and the bill indefinitely postponed.

GUY M. GILLETTE.

A committee from the House appeared and notified the Senate that the House was ready to receive the Senate in joint convention.

Senate proceeded to the House under the direction of the sergeant-at-arms.

JOINT CONVENTION.

The joint convention was called to order by Lieutenant Governor Harding, president of the Senate, and president of the joint convention.

By unanimous consent, roll call was dispensed with and the president declared a quorum of members present.

President Harding then introduced Hon. William Jennings Bryan, secretary of state, who addressed the general assembly.

Mr. Bryan spoke as follows:

I feel honored to be invited to address the lawmakers of this great commonwealth assembled for the discharge of the responsible duties that rest upon them. Insofar as the invitation is due to the office with which the president has honored me, I extend thanks for the administration. Insofar as the invitation is based upon the fact that I am a citizen of a neighboring state, I extend thanks for the people of my state.

I recognize that speaking to you at this period of your session there are two reasons why I should not speak at length. In the first place, I am warned by my own experience that the closing days of a session are busy days and the time is more precious then than in the opening days. I recognize too that near the close of a session it is more difficult to introduce new measures or secure consideration for new ideas, and therefore it would be less profitable to discuss questions that might come before you than it would have been had I come when your session opened, and I shall therefore confine myself to one proposition and I shall present it to you as briefly as I can, not so much with the hope that it will affect your deliberations at this time as with the hope that it may assist you in the formation of opinions on subjects that may come before you hereafter.

I might appear today in the attitude of one of the weather bureau. We have now a very complete weather bureau, a very complete system for ascertaining the things that we ought to know in regard to changes in the weather. I am connected with the political weather bureau, and it has been my business for some time to study the course of the winds and the changes in the political weather, and I think I am better able to predict now than I once was on these subjects. In fact, I am compelled to admit that I lost caste somewhat some years ago as a forecaster in politics and for a time some were disposed to throw up the fact that I had missed my guess as to what the people wanted or what they would do. I have not had so much trouble the last few years along this line. My guesses have been more accurate—at least the fulfillment of the prediction has followed more closely

upon the prediction and left less time for doubt or dispute. I want now to tell you the general course of the wind and to tell you that it has been blowing long enough in one direction for us to judge something of the permanency of it. It is almost as steady now as a trade wind and yet it is not the kind of a trade wind that used to play havoc with the people's desires and prosperity.

I want to say to you that the trend of the world is in the direction of more popular government and that we now have been able to examine the direction of this wind for so long a time and at so many different points that prognostications may be based upon these investigations with great certainty. They are reliable. I can say to you that in every state in this Union and throughout the world the tendency is everywhere and always toward more popular government; that the tendency everywhere and always is towards giving the people larger control of their own affairs, and if this is true, then every legislator who recognizes this tendency and puts himself in harmony with it will find that his work will be successful and every legislator who is foolish enough to throw himself in front of this movement will be run over.

I am not asking you to attempt to do the things that will be popular but I think that every one ought to know what forces are permanent, what forces are irresistible and the forces that move toward the realization of the ideal of those who founded these institutions—these forces are permanent forces and irresistible forces.

Now, having stated this proposition as broadly as I can, I want to make an application. A general principle is not easily comprehended except as it is illustrated by applications of it. If time permitted or if this were an opportune occasion, I might review the experience of other nations. I will stop long enough to tell you that you can not go into any country in this world with any degree of civilization but what you will find there is a paramount political issue and the central element of that paramount issue is the controversy between the people who demand the control of their government and the fraction less than the people who insist upon using the government for their own personal pecuniary advantage. That is the struggle the world round between the unorganized many, but they are becoming more organized each year, and the thoroughly organized few—the many asking for their rights and the few clamoring for privilege. In the nation at large a change is taking place in the point of view from which public questions are to be examined, and after all the point of view is the essential thing to be understood. When you know a man's point of view you can estimate with considerable accuracy not only what he will say he will do but what he will say is his reason for doing it. There are just two points of view from which people look at things that affect mankind. One is the aristocratic point of view, the other is the democratic point of view, and I am not using the word democratic in a partisan sense. Jefferson drew this dis-

tinction a century ago when he said there are just two parties in every land, and where speech was free these two parties would manifest themselves. He described these parties as the aristocratic party that would draw to itself those who did not believe in the people and didn't trust them, and the democratic party who would draw those who did believe in the people and those who did trust them. I need not tell you he had no reference to our party when he used the word democratic, for at that time there was no party in this country known by the name of the democratic party, and strange to say to us the party we now call the democratic party was then called republican so handicapped were we for a name in the beginning. He used the word that described not the party names that come and go but he used the word that described the spirit that animated parties. He used the only line that can be drawn always and everywhere through society, the line that separates the man who is at heart a democrat from the man who is at heart an aristocrat. Now, you cannot go into any party and find that all of the people in the party correspond with those things suggested by the party name. For instance, in this country, you can not find in any party all who are aristocratic in spirit or all who are democratic in spirit. In fact there is no party in this country that is big enough to hold all of the people who are democratc in spirit. The great mass of our people in all parties are democratic in spirit. You want evidence of that? We have evidence at hand. It is the unanimous sentiment that is today back of the election of the senators by the direct vote of the people. You can call the roll and nine-tenths of the people are in favor of the election of United States senators by the people because at heart they are democrats—at heart they trust the people, at heart they want the people to control this government. It took a great while to get the people to understand it, and then it took them a good while to make their representatives understand it, for the representative is much slower than the people to understand democracy. Not possibly more slow to comprehend it but more slow to pay any attention to it. The reason for it is the individual has no pecuniary reason for not following his convictions, while a representative sometimes has. I do not mean to say that the representative is corrupted by money but I mean to say that the power of concentrated wealth is of so great help to a man running for office or to defeat him that sometimes a representative listens to the few who can thus actively organize for him and forgets the many who just vote the ticket without close scrutiny into the bias of the man for whom they vote. If I were going to illustrate this difference in point of view I would say that the democrat believes, and he believes it honestly, that society is built from the bottom, the aristocrat believes, and he believes it honestly, that society is suspended from the top. The democrat believing society is built from the bottom, says legislate for all of the people, believing that prosperity will surely find its way up for all classes. The aristocrat says, and he says it honestly, for he believes it, he says legislate for the well-to-do, and then be patient and let the others wait while their prosperity leaks through to those below. That is the distinction, my friends.

It so runs through this world, and I mention it because I doubt not that you have questions before you right now that illustrate this division. I do not know what questions you have before you. I did not inquire. I was afraid if I did that I might say something that would apply to these questions but if I didn't know I could discuss general principles and then let you apply these suggestions when you had occasion.

I do not know whether you have before you those reforms known as the initiative and referendum, and if they are before you I do not know what the probability is, but I want to discuss these things because they illustrate what I mean. The tendency of this government and of the world is toward larger power in the hands of the people and I can use the growth of the initiative and referendum as an illustration.

Sixteen years ago last summer we put a plank in our party platform in Nebraska for the first time declaring for these reforms, and I remember distinctly the opposition paper said when this plank was read to the convention that one delegate said to another in the convention, what is that? and the paper said the delegate answered, that is a new kind of democratic drink, and the paper stated that it went through unanimously. It is sixteen years ago last summer that that paper wittily and humorously referred to the initiative and referendum as a new kind of democratic drink, yet two years ago last summer that same paper led the fight for the adoption of that plank in the republican platform and endorsed the initiative and referendum. It was not speaking of it in witty and humorous terms then; it was intensely in earnest; and it did win its fight. Two years ago last summer every party in Nebraska endorsed the initiative and referendum, and in the legislature that convened that fall the initiative and referendum was submitted, not exactly in the form we would like to have seen but it was submitted and adopted last fall by an overwhelming majority.

Ten years ago if you said anything about the initiative down in New York you were taken to task for suggesting a very wild idea. I remember once less than ten years ago when I had the temerity to say a word about it in Brooklyn one of the New York papers had an editorial two columns long explaining how dangerous it was, and yet last fall there were three men before the people for the office of president; that is, three who polled the largest vote, two of them were in favor of the initiative and referendum and the one man who was not carried two states with eight electoral votes. The people were not afraid of the initiative and referendum. I do not say that every man who voted for Wilson or Roosevelt voted for him because he favored them and I do not mean to say that the vote that Mr. Taft received necessarily measured the strength of the opposition, but what I do mean to say is that this reform has passed the stage when it can be made a scarecrow, or when men will be afraid to trust as president of the United States a man who trusts the people with the control of their government. I do not know what you intend to do on this subject. I do not mean any reflection on

you when I say I do not care. I used to be impatient about reforms but I learned patience by experience and I know if you will not do it now you will do it later. I believe that the stars in their course fight with us when we stand for those things in the line of popular government. I have faith in the triumph of this reform in this and every state because I believe the people have sense enough to run their own government and they have sense enough to retire from politics those who have not faith in them. I care not how honestly a man may distrust the people. A man who honestly distrusts the people ought to be left at home to study the genius of his government and its institutions and not be put in a place where he can misrepresent those who elect him to speak for them. An honest man has no right to embezzle power, an honest man has no right to misrepresent his constituents.

There are two theories of government—the democratic theory which looks at all questions affecting mankind from a democratic standpoint and those who look at these questions from an aristocratic standpoint or hold the aristocratic theory of government. The democratic says the people ought to think for themselves and ought to elect people not to think for them but to act for them. That is the democratic theory of representative government. The aristocratic theory is that people have not sense enough to think but still choose very wise men to think for them and do things the people do not want done. I need not tell you that the democratic theory is the theory that is growing and I need not remind you either that when you go out and ask for votes you ask for them on the democratic theory and not on the aristocratic theory. How do I know? Because you have platforms. What do you have platforms for, except to tell the people what you will do if they elect you and why tell them what you will do unless you expect that to determine their choice? If you believe in the aristocratic theory of government, if you believe the people have not sense enough to know what is to be done, why don't you run without a platform? Tell them that it is none of their business, you will do what you think is right for them. Why don't you do it? Because you are more interested in holding office than in announcing your belief in an aristocratic idea. If you are a democrat when you run, you ought to be a democrat when you are elected. Let your conscience work before election. I have not much faith in a conscience that hibernates during the campaign and blossoms out when there is a chance to betray a constituency. I believe in a conscience. I believe that no man ought to act contrary to his conscience. I do not believe a legislator ought to do what is wrong because his constituents want it. Have I stated it as strongly as I can? If a platform declares for a policy that a representative thinks is wrong he ought to say so when he accepts the nomination. He ought not to leave the people to believe by silence that he is in favor of the platform. I believe a man's conscience ought to work all of the time, and if he does not believe in a platform he ought to say so and ask judgment on his position, but if he is elected on a platform and afterwards believes on mature reflection that his platform is wrong and he ought not to carry out the same against his conscience, then let him give the people a chance to elect

somebody else. That is my idea of representative government. That the representative must understand that his citizens have consciences also and that they have the right to ask the representative to do what they want done and when a man can not do what his constituents want done he ought to return to his commission and let them select somebody that will.

Why is it the demand for the initiative and referendum is growing? It is because representatives have refused to do what their constituents want done. The initiative gives the people a chance to do what they want done when the representatives refuse to do it. Under the initiative a certain per cent of the people can ask that a question be submitted, and when submitted the people vote on it, and if when submitted the people vote for it, it becomes a law, just the same as if the legislature had passed it, and do you know of any reason why the law should be more binding when passed by representatives than when passed by the people themselves? What is the referndum? It is the veto power lodged in the people. Have you the veto power lodged in the governor of this state? Does it require two-thirds to overcome it? Well, my friends, if it is right to put in the hands of the governor the power to set his judgment against the judgment of the majority of the members of both houses and thus prevent the passage of a law unless two-thirds of both houses register their approval in spite of his veto power, why deny the right of the people who elect legislators and governors to veto anything that their public servants do if the people are opposed to it? Is there anything contrary to the spirit of free institutions in this? It is a dangerous thing for a representative to suggest that his people have not sense enough to act on these subjects. For if they have sense enough to elect him, ought he impeach their intelligence? You say you can not let them act for fear they would make mistakes. You ought not suggest the idea of the people making mistakes, for it might be pointed out that the people made a mistake when they elected you. I would be the last one to insist that the people did not make mistakes, but no one will go beyond me in asserting the right of the people to make mistakes if they want to.

You cannot escape mistakes by escaping the veto power of the people. Somebody must act and somebody will make mistakes. If you have an unlimited monarchy a king will make mistakes for the people and he generally lives up to his opportunities. That is why they quit having unlimited monarchies. If you had an aristocratic government the few make mistakes for the rest of the people, and there have been many illustrations of their mistakes being made. In fact, it is sometimes so profitable for the few to make mistakes that it takes them a long while to correct them and human history is written in blood largely because of the mistakes of the few made against the many—mistakes that the many tried to correct. The tendency of the world today and nowhere is it plainer than in our own country is to let the people control their government. Let them make the mistakes, if they will. They will not make as many as representatives will make against them

or for them and they will correct them as soon as they find them out. I say this in regard to the initiative and referendum.

I have just one other thought to add in connection with it. I regard it as fundamental. I think the initiative is the greatest suggestion in the improvement of the government that has come in the generation. You tell me it suggests doubt as to representative government? No. It just recognizes facts. Does it overthrow representative government? No, it simply perfects representative government. The physician who advises you to cut off a limb to save the body is not an enemy; he is a friend. So that man who would perfect representative government and cures every defect of it is a better friend of representative government than the man who would try to ignore diseases in the body politic, and reject all remedies offered. We need the initiative and referendum in order to put the government in the hands of the people and to drive the lobbyist from the halls of legislation.

Today we have great, selfish predatory interests that are seeking to secure advantage. Sometimes they want special privileges granted by law and sometimes to prevent passage of laws that ought to be passed. But whether they seek affirmative privilege or simply negative laws that permit them to trample upon the rights of others they are insistent, powerful and influential. I served in congress for a little while, long enough to know that the difference between democrats and republicans manifested themselves on few occasions but the difference between those that stood with the people and those that stood with the despoilers of the nation manifested themselves on many occasions.

I saw while in congress and since have seen in Washington and everywhere the representatives of great privilege insisting that the interest of the few shall be put above the rights of all the people. Where do you find this controversy manifesting itself? Wherever you attempt to give effective control of great corporations. If, for instance, an effort is made to create a utility board, or provide means of regulating corporations you find the opposition. You know where it comes from. In Washington I saw a railroad lobby for ten years prevent the carrying out of the recommendation of the interstate commerce commission asking for larger power. No arguments made on the other side, but somehow there was a silent pressure that was sufficient to overcome the people's demand. Rebates, favors and discriminations continued. The people cried out for relief but their voice was not heard because around the Capitol were the paid representatives of these great interests who succeeded in stifling the public conscience and defeating the public will. I saw for more than a decade efforts made to stop the pass. A man who would indignantly deny that a pass was proper would accept one and refuse to carry out the party platform. But we are making progress. At last the demand was strong enough to coerce a congress and we found congress enlarging the powers of the commission and we found congress abolishing the pass. At last as this last session of congress was about to die we found a bill passed which provided for the physical valuation of railroads. Is it not strange that so simple a proposition could be obstructed so long. Do you know why the people should not know how much it would cost to re-build a railroad, except

if they did know they would want legislation that they would not now demand? In other words, predatory interests have kept the people in the dark.

I dissolve all doubts on the side of the people. If a measure comes up and they say it is unconstitutional, I ask is it desirable and if they say it is, I say let the courts decide if it is unconstitutional. But if it is desirable and the legislature decides to pass it you can rest assured the courts will prevent any injustice. Therefore, give the benefit of the doubt to the people if the thing proposed is desirable. Do you know of any argument that can be made against legislation that will provide effective restraint for corporations? A corporation is a creature of law. It has no natural rights. When you deal with a human being you come in contact with natural and inalienable rights but you have no such difficulty when dealing with a corporation. A corporation has no rights except those given it by law and if you give it all the rights a human being has and then the additional rights that are conferred by law, the man-made-man becomes more powerful than the God-made man. It is only fair to insist that there shall be some power somewhere that shall act as a restraint upon every corporation that is created by law. The people can not be presumed to create a corporation for public injury, and they can not assume that that corporation shall act as judge in its own case and decide impartially for the people. It is too much to expect of the corporation. We would not expect it of the best judge we ever elevated to power. I suggest that in every state in this union as in the nation at large there should be some official elected by the people who shall have power to say to every corporation, thus far shalt thou go and no farther. I would suggest that it might be a good thing to provide by law that every corporation should keep hanging up in its chief office a motto taken from the bible, "Remember now thy creator."

Just one other subject. I do not know whether you are dealing with it or not. I was in Nebraska yesterday. I found that our legislature there was dealing with it. It was the question as to the power, the right of a local community to own its own franchises. Should the city be permitted to own its own franchises or should it be compelled to hire people to do its work. The question which comes in regard to cities also comes up in regard to counties and these come in response to conditions. Remedies are never suggested until the diseases are discovered. In our state they are trying to decide whether the state shall be permitted to own and operate any municipal franchises that it desires to own and operate, and whether a county shall be permitted to own and operate these things. The crucial question just now is whether a county shall be permitted to have a telephone system owned by the people. We have people in Nebraska who think the county ought to be permitted to own and operate a telephone system. Is it not strange that any intelligent man should be willing to represent so unintelligent a community as one that can not attend to such matters? Do you suppose that question would ever rise unless a telephone company had more influence with some man than all of the people who voted for him? Is it possible that any intelligent man should doubt either the right or the

capacity of the people to do these things? If there is a man who doubts the capacity of the people to do these things, let me suggest to you if there are any special privileges that are very valuable to secure without the public consent, they had better secure them soon for the age for such things is rapidly passing away. When the time has come and these things are no longer possibilities but realities you will wonder why it was there was any doubt about what the people had a right to do or what they could do.

I have talked longer than I expected. Let me sum up in a single word what I have said. The world is moving on toward popular government. The world is coming to understand that the government that rests for its just powers upon the consent of the governed, the government responsive to the will of the people is the most just of governments, the most wise of governments and the strongest of governments. When I was in college I heard the three different kinds of governments defended by different arguments. Friends of democracies insisted it was the most just, friends of the aristocratic insisted it was the most wise, friends of monarchy insisted it was the strongest of government. I am not willing to accept arguments in favor of aristocratic or monarchial governments, and I believe it is true that the democratic is the most just of governments and I believe it is also true that the democratic is the wisest of governments, for the government that rests upon the wisdom of all the people is wiser than the government that rests upon but a fraction. I believe the democratic is the strongest of governments. I am prepared to endorse the sweeping statement made by the great historian Bancroft who said that the Republic was the strongest of governments because it dared to discard the implements of war and build its citadel in the hearts of men. Governments are strong in proportion as they are supported by the hearts of people. Love is the most potent force in government as it is the most potent force in social life. When people love their government it is strong; when they do not it is weak. I beg of you to make the government of this nation and state strong by building them upon the love of the people and you can not do it unless you trust the people and let them control their government and let them make it their agent for accomplishing what they want to accomplish for the defense of their rights and protection of their welfare.

Senator Webber moved that the remarks of Honorable Wm. Jennings Bryan before the joint convention be printed in the Journals of the Senate and the House.

Motion prevailed.

Senator Quigley of Clayton moved that the joint convention be dissolved.

Motion prevailed.

Senate returned to the Senate chamber and resumed its sitting.

Senator Sullivan moved that Senate File No. 289, which now appears on the calendar, be referred to committee on Appropriations.

Carried.

So the bill was referred to the committee on Appropriations.

REPORT OF COMMITTEE.

Senator Crist, from the commitee on Public Utilities, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Public Utilities to whom was referred Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the board of railroad commissioners to "public utilities commission"; enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their term expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the board of railroad commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities, beg leave to report that they have had the same under consideration and recommend the same be amended as follows:

Amendments one (1) to twenty-two (22) inclusive attached to this report, and when so amended the bill do pass.

L. E. CRIST,
Chairman.

Adopted.

AMENDMENTS.

All references are to sections and lines as they appear in the printed bill.

I.

Amend section eleven (11) as follows: By striking out the first five lines thereof and inserting after the word "employes" in the eleventh line, the following: "and their compensation"; also strike out all of said section after the word "council" in the twelfth line thereof excepting the "period" at the end of said section.

II.

Amend section sixteen (16) by striking out said section and substituting therefor the following:

"Sec. 16. It shall be the duty of the commerce counsel to represent and appear for the people of the state of Iowa, and the commission, in all actions involving any question under this act, or within the jurisdiction of the commission under this act or under the laws of the state, or under or in reference to any act or order of the commission, and, if directed so to do by the commission, or upon his own initiative, to intervene if possible in any action or proceeding in which any such question is involved; to commence and prosecute all actions and proceedings directed or authorized by the commission or required or authorized by law, and to expedite in every way possible final determination of all such actions and proceedings; to advise the commission and each commissioner when so requested in regard to all matters in connection with the powers and duties of the commission and each member thereof; and generally to perform all duties and services as such commerce counsel, which the commission may reasonably require of him, or which may be necessary under this act.

III.

Amend section eighteen (18) by inserting after the word "sale" in line eighteen the following: "transmission for sale or distribution."

IV.

Strike out section nineteen (19).

V.

Amend section twenty-six (26) by striking out of line eighteen thereof all after the word "except" and substitute therefor the following: "To hospitals and eleemosynary institutions and to such persons being officers, employes or pensioners of such public utility as the commission may under proper rules designate."

VI.

Amend section twenty-nine (29) by striking out of lines eleven and fifteen the words "or a commissioner," and also by striking out of line twelve the words "or such commissioner."

VII.

Amend section thirty (30) by adding after the period at the close of line fifty-three the following: "Provided however, that any public utility desiring to increase any rate, joint rate, fare, rental, toll or charge now or hereafter in force, shall make application to the commission, in which application shall be set out the old rate, joint rate, fare, rental, toll or charge, and the proposed rate, joint rate, fare, rental, toll or charge together with the reasons upon which such proposed increase is asked, and thereupon the commission shall fix a time for hearing and shall give notice of such hearing, and at such hearing the commerce counsel shall

appear for the people and against the said increase, and the commission shall determine upon such hearing in the manner as provided in section thirty-seven (37) of this act, whether or not the said proposed rate, joint rate, fare, rental, toll or charge or any part thereof shall become effective; but no raise in any rate, joint rate, fare, rental, toll or charge shall become effective without the approval of the commission.

VIII.

Amend section thirty-four (34) by striking out of line one all after the word "on" and inserting in lieu thereof the word "such"; also by striking out after the word "ending" in lines two and three the following: "the 31st day of December preceding" and inserting in lieu thereof the following: "on a preceding day to be fixed by the commission"; also by striking out all of line twelve following the word "annually"; also by striking out the word "paragraph" in lines thirty-five and thirty-six and inserting in lieu thereof the word "section"; also by striking out of line thirty-eight the word "paragraph" and inserting in lieu thereof the word "section."

IX.

Amend secton thirty-seven (37) by striking out of line ten the following: "among other things"; also by striking out of lines twelve and thirteen all after the word "public" down to the "comma" preceding the word "determine"; also amend said section by striking from line thirty-two the words "any twenty-five (25)" and inserting in lieu thereof the following: "ten per cent of the"; also amend said section by adding after the "period" at the end of line thirty-nine the following: "Provided however, that before submitting such petition or complaint to such commission, the same shall have been submitted to the council of such municipality for consideration, and only those rates, joint rates, fares, rentals, tolls or charges upon which there is still a dispute, after said council shall have passed thereon, shall be submitted to said commission. If such council does not act upon such petition so presented within thirty days from the time same is so presented, then, such petition or complaint may be taken direct to the commission.

X.

Amend section forty (40) by striking out of lines four and five the words "accounting and capitalization" and also the words "and taxation" at the end of line five.

XI.

Amend section forty-one (41) by striking out of lines thirty-nine and forty, the following: "which such municipality is or may hereafter be authorized by law to construct or acquire"; also amend said section by inserting the figure four (4) as a paragraph number preceding the word "every" in line sixty-four; also amend said section by striking out of

lines sixty-eight and sixty-nine the following: "the major part of"; also by striking out of lines seventy-three and seventy-four the following: "the major part of the property of"; also by striking out all of paragraph four (4) following the period after the word "act" in line seventy-five; also by inserting after the word "utility" in line eighty, the following: "and under which a public utility is now being operated"; also by striking out of line ninety the following: "to the expiration of such franchise, license or permit and prior"; also by striking out the figures "1915" in line ninety-one and inserting in lieu thereof the figures "1914"; also by striking out of line 112 the words "and only"; also by striking out the period following the word "cost" in line 118 and adding the following: "and every indeterminate franchise within the description and meaning of this act shall be and be deemed an extended franchise grant direct from the state, subject only to the terms and provisions of this act and terminable only as herein provided."

XII.

Amend section forty-two (42) by striking out the period at the close of line six and substituting therefor a comma and adding thereto the following: "if there be then in operation within such municipality a public utility engaged in similar service"; also by inserting after the word "permit" in line eleven the following: "which shall become an indeterminate permit under the provisions of this act."

XIII.

Amend section forty-three (43) by inserting after the word "line" in line four (4) the words "or system" and after the word "line" in line seven (7) the words "or system" and by striking out all of line eight (8) following the word "municipality" and all of lines nine (9), ten (10) and eleven (11) excepting the period at the end of line eleven (11), and by adding thereto the following: "Any municipality shall have power and authority to incur an indebtedness in the purchase or construction of any such public utility plant in any sum not exceeding the limitation of indebtedness of such municipality as prescribed by the constitution of the state and such municipalities may issue bonds or other evidences of indebtedness therefor. Any municipality shall have the power to sell, lease, transfer, mortgage or otherwise encumber any municipally owned plant or any part thereof upon approval by a vote of the people in the manner as provided by law for the purchase of such utility plants.

Also by striking out sub-divisions "(a) and (b)" being lines twelve to forty-four inclusive, and substituting therefor the following: "(a) If at any time the council or other corporate authority of any municipality shall by ordinance declare the determination of such municipality to construct or to acquire an existing public utility plant therein and coming within the description of sub-division (1) of this section, it shall in the manner now or hereafter provided by law governing the acquisition of such public utility plants, or any of them, submit to the qualified electors of such municipality at any general, municipal or special election

to be held therein the proposition of the construction or acquisition of such plant; and if at such election a majority of votes cast upon such proposition shall be in favor thereof, such municipality shall give notice to the public utility sought to be acquired and to the commission of such determination, and of the result of such election.

"(b) If it be the desire of such municipality as evidenced by the resolution of its council, to construct a public utility therein when another public utility rendering similar service is then existing in such municipality, it shall make applicaton to the commission for authority and shall not be permitted to construct any second utility of similar character without having first secured the consent of such commission, and upon such consent being given the vote of the people may be taken as hereinbefore provided"; also by striking from lines forty-five and forty-six the following: "The foregoing paragraph (b)" and substituting therefor the words "this section"; also amend said section by striking out paragraphs "(d) and (e)" being lines sixty-five to ninety inclusive, and inserting in lieu thereof the following: "(d) The compensation, terms and conditions of sale and purchase certified to by the commission under the provisions of this act, shall be deemed prima facie, fair, reasonable and just."

XIV.

Amend section forty-four (44) by striking out all of said section down to and including line 129 thereof and substituting therefor the following: "(1). That the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations are hereby transferred to the commission and shall become a part of the powers and duties of such commission." Also amend section forty-four (44) by renumbering paragraph (6) as paragraph (2)" and striking from line 136 the words "sum of the capital stock" and substituting therefor the words "fair and reasonable value"; also amend said section by striking from lines 137 and 138 all after the word "corporations" and down to the "semi colon" preceding the word "nor"; also amend said section by striking therefrom "paragraphs 7, 8 and 9," being lines 140 to 163 inclusive.

XV.

Amend section forty-five (45) by striking out the figure "one (1)" at the beginning of the paragraph in line twenty-three and inserting in lieu thereof the figure "three (3)"; also by striking out the figure two (2) at the beginning of the paragraph in line thirty-two (32) and inserting in lieu thereof the figure "four (4)."

XVI.

Amend section forty-seven (47) by striking out sub-division (f), being lines fifty-seven to sixty-four inclusive.

XVII.

Amend section forty-eight (48) by inserting after the word "commission," where it appears the second time in line fourteen, the following: "or any agent duly authorized by the commission."

XVIII.

Amend section fifty-two (52) by striking therefrom all of said section after line six and substituting therefor the following: "Every finding, order or decision of the commission shall be deemed prima facia, fair, reasonable and just. If any action be brought involving the fairness, reasonableness or legality of any such finding, order or decision, the same shall be brought within ninety days from date of such finding, order or decision and in the district court of Polk county, Iowa.

XIX.

Amend section fifty-three (53) by striking from line seven thereof the words "counsel to the commission" and substituting therefor the words "commerce counsel."

XX.

Amend section fifty-five (55) by striking from lines four and five thereof the words "counsel to commission" and inserting in lieu thereof the words "commerce counsel."

XXI.

Amend section fifty-seven (57) by striking from line eight thereof the words "counsel to commission" and inserting in lieu thereof the words "commerce counsel."

XXII.

Amend section sixty-three (63) by striking out the entire section and inserting in lieu thereof the following:

"(1) There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of one hundred fifty thousand dollars for the biennial period beginning July 1, 1913, for the purpose of carrying out the provisions of this act.

"(2) For the purpose of the payment of the expenses of the public utilities commission, and the exercise of police supervision of the public utilities of the state by it, a sum not exceeding $75,000 each year shall be apportioned among and assessed upon the railroads and public utilities within the state by the commission, in proportion to the intra state gross earnings or receipts of such railroads and public utilities for the year next preceding that in which the assessments are made. Said assess-

ments shall be due and payable at the same time ordinary taxes are due and payable and shall be paid to the state treasurer. Such assessments shall be a lien upon the property of the public utility against which said assessments are made. In case any such assessment is not paid before the same becomes delinquent the same shall be subject to the penalties that ordinary taxes are in case of non-payment before delinquency, and the state treasurer shall proceed to make collection thereof by equitable proceedings in the district court in which said property is located; that when such assessments are collected the same shall be placed by the treasurer to reimburse the funds appropriated for the purpose of defraying the expenses of such commission."

Senator Crist moved the amendments offered by the committee on Public Utilities be adopted.

Adopted.

Senator Crist moved that 400 extra copies of the Journal for today be ordered printed.

Carried.

Senator Crist moved that the bill be referred to the committee on Appropriations.

Carried.

Senator Savage moved that the Senate do now adjourn until 1:30 P. M.

Carried

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P. M., President Harding presiding.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Farr, by request, Senate File No. 471, a bill for an act to amend the law as it appears in section two hundred ninety-eight (298) of the supplement to the code, 1907, as amended by chapter sixteen (16) of the acts of the Thirty-third General Assembly, relating to the compensation of clerks of the district court and their deputies.

Read first and second time and referred to committee on Judiciary.

By Senator Farr, Senate File No. 472, a bill for an act authorizing the appointment of two delegates from the state of Iowa as members of a commission which is to investigate European systems of rural credits and report thereon and making an appropriation therefor.

Read first and second time and referred to committee on Agriculture.

By Senator Sullivan, Senate File No. 473, a bill for an act providing for the severance of territory from cities of the first class and cities acting under the commission plan of government.

Read first and second time and referred to committee on Cities and Towns.

By Senator McColl, Senate File No. 474, a bill for an act to amend the law as it appears in an act passed by the Thirty-fifth (35th) General Assembly and approved on the 20th day of March, A. D. 1913, and entitled, "A bill for an act additional to chapter five (5), title ten (10) of the code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same."

Read first and second time and referred to committee on Railroads.

By Senator Kimball, Senate File No. 475, a bill for an act to repeal section eight hundred sixteen (816) of the code and enacting a substitute therefor and relating to the lien of special taxes for the cost of making and reconstruction of city improvements and sewers.

Read first and second time and referred to committee on Cities and Towns.

President announced that as president of the Senate, in the presence of the Senate, he had signed House Files Nos. 78, 135, 206, 293, 446 and 546.

REPORTS OF COMMITTEES.

Senator Savage, from the committee on Public Schools, submitted the following report:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred House File No. 17, a bill for an act giving school boards in certain districts authority to use school buildings and grounds and other public buildings and grounds for public recreation and play ground purposes and providing for the levy of separate tax for the support of same and authorizing cities within or including such districts to appropriate money for the same purpose. Additional to chapter fourteen (14), title thirteen (13) of the Code, beg leave to report they have had the same under consideration and recommend the same do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Senator Robinson, from the committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your committee on Congressional and Judicial Districts to whom was referred Senate File No. 251, a bill for an act to amend the law as it appears in section two hundred twenty-seven (227) of the Code of Iowa, relative to judicial districts and the number of judges therein and to provide for three (3) judges in the tenth (10th) judicial district and for the appointment of the extra judge herein provided, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

T. J. B. ROBINSON,
Chairman.

Senator Robinson moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Congressional and Judicial Districts to whom was referred Senate File No. 94, a bill for an act to amend section two hundred twenty-seven (227) of the Supplement to the Code, 1907, relating to the division of the state into judicial districts, and increasing the number of district judges in the eighteenth (18th) district, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

T. J. B. ROBINSON,
Chairman.

Senator Robinson moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator McColl, from the committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your committee on Banks and Banking, to whom was referred Senate File No. 1, a bill for an act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof, beg leave to report they have had the same under consideration and have adopted the following substitute and request that the same be placed upon the calendar without recommendation.

SUBSTITUTE FOR SENATE FILE NO. 1.

A BILL FOR AN ACT to Provide for the Regulation and Supervision of Investment Companies, and Providing for the Violation Thereof.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That it shall be unlawful for any investment company or stock broker or any representative thereof, either directly or indirectly, to sell or cause to be sold, offer for sale, take subscriptions for or negotiate for the sale in any manner whatsoever in this state, except as hereinafter provided, of any stocks, bonds or other securities of any kind or character, other than those expressly exempted from the provisions hereof, without a permit of the secretary of state as hereinafter provided. But nothing in this act shall be construed to prohibit the sale of bonds of the United States, or of the state of Iowa, or of the municipal, county, school or drainage bonds, or of certificates issued by authority of the laws of the state of Iowa, or to prohibit banks from dealing in the various classes of securities now or hereafter authorized by law or to prohibit the sale of stocks, bonds or other securities at judicial sale or by administrators or executors, or bonds or notes secured by mortgage on Iowa real estate, provided that the amount of such lien and of all superior liens upon said real estate shall not exceed three-fourths of the actual cash value thereof.

Sec. 2. That before any investment company shall secure such permit, it shall be necessary for each and every such investment company to file in the office of secretary of state, together with a filing fee of ten dollars ($10), the following papers, documents, etc., together with such other information and documents as said secretary of state shall deem necessary in each case towit:

1. A copy of its constitution and by-laws, or articles of co-partnership or association.

2. An itemized statement of its actual financial condition and the amount of its properties and liabilities.

3. A statement showing in full detail the plan upon which it proposes to transact business.

4. A copy of all contracts, bonds or other securities which it proposes to make with or sell to its contributors.

5. Sample copies of all literature or advertising matter used or to be used by such investment company.

6. If it shall be a foreign investment company, it shall file a copy of its charter, which copy shall bear the certificate of the secretary of state, or other state officer having custody of such records, that it is a true, complete and correct copy.

All the above described papers shall be verified by the oath of a duly authorized member of a co-partnership or association, if it be a co-partnership or association, and by the oath of the president and secretary if it be incorporated, provided that the secretary of state shall have the power to require such officer to make affidavit to such other reports or information as he may call for.

Sec. 3. Every foreign investment company shall, before receiving a certificate as provided for in section 4 hereof, file in the office of secretary of state, an agreement (authenticated by the seal of said foreign investment company and by the signature of a member of a co-partnership or company if it be a co-partnership or company, or by the signatures of the president and secretary of the incorporated or unincorporated association, and shall be accompanied by a duly certified copy of the order or resolution of the board of directors, trustees or managers of the corporation, authorizing the said president and secretary to execute the same.) That thereafter service of notice of any action or process of any kind against such foreign investment company, growing out of the transaction of any business of said company in this state, may be made on the secretary of state, and when so made, such service of notice or process of any kind shall be valid, binding and effective for all purposes as if served upon the foreign investment company according to the laws of this or any other state, and waiving all claims or rights or error by reason of such acknowledgment of service. Such notice or process, with a copy thereof, may be mailed to the secretary of state at Des Moines, Iowa, in a registered letter addressed to him by his official title, and he shall immediately upon its receipt acknowledge service thereof on behalf of the defendant foreign investment company by writing thereon, giving the date thereof, and shall immediately return such notice or process in a registered letter to the clerk of the court in which the suit is pending, addressed to him by his official title, and shall also forthwith mail such copy, with a copy of his acknowledgment of service written thereon, in a registered letter addressed to the person or corporation who shall be named or designated as such foreign investment company in such written instrument.

The above provisions for the service of notice or process of any kind are merely additions to the general provisions of law relating to the service of notice or process, and are not to be construed to be exclusive.

Sec. 4. It shall be the duty of the secretary of state to examine the statements and documents so filed, and if he shall deem it advisable, he shall require such investment company to furnish him with further and more detailed information regarding the affairs of such investment company, and if he finds that such investment company is solvent; that its articles of incorporation or association, its constitution and by-laws, its proposed plan of business, and proposed contract contain. and provide for a fair, just and equitable plan for the transaction of business, he shall issue to such investment company a statement reciting that such company has complied with the provisions of this act and that such investment company is permitted to do business in this state. In no case shall the secretary of state issue to such investment company or to its stock brokers or agent thereof a permit to do business in this state unless, in his judgment, said investment company meets the requirements of this act.

Sec. 5. That no amendment of the charter, articles of incorporation, constitution or by-laws of any such investment company shall become operative until a copy of the same has been filed with the secretary of state as provided in regard to the original filing of such papers, nor shall it be lawful for any such investment company to transact business on any other plan than that set forth in the statement required to be filed in section two (2) of this act, or to make any contract other than that shown in the copy of the proposed contract required to be filed by the provisions of said section, until a written statement showing in full detail the proposed new plan of transacting business and a copy of the proposed new contract shall have been filed with the secretary of state in like manner as provided in regard to the original plan of business and proposed contract, and the consent of the secretary of state obtained as to making such proposed new plan of transacting business and proposed new contract.

Sec. 6. That at the close of business of December 31st of each year, and at such other times as the secretary of state may require, every investment company, domestic or foreign, shall file with the secretary of state a statement properly verified by the officers of said company, which statement shall set forth its financial condition and the amount of its assets and liabilities and such other information concerning its financial affairs as the secretary of state may require; said statement being for the information of the secretary of state, and it shall not be open to public inspection, neither shall it be published, or used for private purpose. Each annual statement shall be accompanied by a filing fee of two dollars ($2.) Any investment company failing to file said statement for the preceding year by the first day of February of each year, or failing to file any other or special report herein required

within thirty (30) days after receipt of request therefor, shall forfeit to the state of Iowa the sum of five ($5) per day until said statement is filed, or until its right to do business in this state is cancelled; and unless said reports are filed within thirty (30) days from the time they are due the secretary of state man cancel the right of said company to do business in this state.

Sec. 7. The general accounts of every such investment company, domestic or foreign, shall be kept in a businesslike and intelligent manner and in sufficient detail that the secretary of state can ascertain at any time its financial condition; and such books of account shall at all times during business hours, except on Sundays and legal holidays, be open to stockholders and investors in said companies and to the secretary of state or his duly authorized representatives.

Sec. 8. The secretary of state shall have general supervision and control as provided by this act over any and all investment companies, domestic or foreign, doing business in this state and not expressly exempted, and all such investment companies shall be subject to examination by the secretary of state or his duly authorized representative at any time the said secretary of state may deem it necessary. The right, powers and privileges of the secretary of state in connection with such examination shall be the same as is now provided with reference to examination of state banks; and such investment companies shall pay a fee for each of such examination of not to exceed six dollars ($6) for each day or fraction thereof spent by the said secretary of state or his duly authorized representative while absent from the capitol in making such examination, and also the actual traveling and hotel expenses of said examiner, and upon failure or refusal of any such investment company to pay such fees upon the demand of the secretary of state, or his duly authorized representative, the secretary of state may cancel its right to do business in this state until such fee is paid.

Sec. 9. Whenever it shall appear to the secretary of state that the assets of any investment company doing business in this state are impaired to the extent that such assets do not equal its liabilities or that it is conducting its business in an unsafe, unfair, inequitable or unauthorized manner, or is jeopardizing the interest of its stockholders or investors in stocks, bonds or other securities by it offered for sale in this state, or whenever any investment company shall fail or refuse for a period of thirty (30) days to file any papers, statements or documents required by this act without giving reasons therefor satisfactory to the secretary of state, he shall at once cancel the right of said investment company to continue to do business in this state.

Sec. 10. Any investment company or person who shall knowingly and willfully subscribe to or cause to be made any false statement or false entry in any book of such investment company, or exhibit any false paper with the intention of deceiving any person authorized to examine the affairs of such investment company, or shall knowingly of willfully

make or publish any false statement of the financial condition of such investment company, or the stocks, bonds or other securities by it offered for sale shall be deemed guilty of a felony; and upon the conviction of any such investment company of such felony it shall be fined not less than one hundred dollars ($100) nor more than ten thousand dollars ($10,000), and the secretary of state may forthwith cancel the right of said investment company to transact business in this state; and upon the conviction of a person of such felony he shall be fined not less than one hundred dollars ($100) nor more than ten thousand dollars ($10,000), and he may be imprisoned for not more than ten years, or by both such fine and imprisonment in the discretion of the court.

Sec. 11. Any stock broker, agent or other person, unless expressly exempted from the provisions of this act, who shall sell or attempt to sell the stocks, bonds or other securities of any investment company (domestic or foreign), which has not complied with the provisions of this act, or who shall do or attempt to do business for any such investment company, which has not complied with the provisions of this act, or who shall upon demand refuse to exhibit his duly registered certificate of registration received from the secretary of state, or who shall violate any of the other provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined for each of such offenses not less than one hundred dollars ($100) nor more than five thousand dollars ($5000) or by imprisonment in the county jail of not more than ninety (90) days, or by both such fine and imprisonment in the discretion of the court.

Sec. 12. All fees herein provided for shall be collected by the secretary of state and by him turned in to the state treasurer on the first secular day of each month; and the secretary of state shall keep a record of the receipts and expenditures incurred in carrying out the provisions of this act. The secretary of state is hereby authorized to appoint such clerks and deputies as the executive council deem actually necessary to carry this act into full force and effect; but none of whom shall be related by blood or marriage to such secretary of state. The compensation of such clerks and deputies shall be fixed by the executive council. Before the salary and expenses of any such clerk or deputy shall be paid, a detailed and itemized statement of account shall be prepared by such claimant and duly verified, which verification shall aver that such claim is just, reasonable and wholly unpaid and that the amount therein stated has been expended by such claimant. When said claim has been approved by the secretary of state and audited and allowed by the executive council, it shall be paid by warrant drawn by the auditor of state upon the state treasurer, and there is hereby appropriated out of any money of the state treasury, and not otherwise appropriated, an amount sufficient to meet said salaries and expenses.

Sec. 13. Any investment company, domestic or foreign, or any stock broker, which shall be denied a certificate to transact its business in this state or whose certificate shall be revoked by the secretary of state in

pursuance of this act, or any interested citizen of this state, shall have the right to appeal to the executive council of this state from any decision of the secretary of state relating to the provisions of this act, within twenty (20) days from the entry of such decision by serving notice of such appeal upon the secretary of the executive council, and such appeal shall be heard by the executive council under such rules and regulations as they may prescribe.

Sec. 14. Any investment company which has complied with the provisions of this act and received from the secretary of state a certificate authorizing it to offer its securities for sale in this state may appoint one or more stock brokers or agents to act for it; but no such stock broker, except under the provisions of the next section, or agent, or any other person, shall directly or indirectly, do any business for said investment company in this state until he shall first register with the secretary of state and file with such officer his written appointment and authority from said investment company to act as its stock broker or agent and receive from him a certificate showing that such investment company has complied with the provisions of the law and that such person is authorized to act for it. All such certificates shall be subject to revocation by the secretary of state, and unless so revoked shall expire on the 1st day of July of each year. A charge of one dollar ($1) shall be made by the secretary of state for each certificate issued to each stock broker or agent.

Sec. 15. The secretary of state may issue to any stock broker who has been a resident of the state during the last preceding six (6) months an annual permit, which permit shall entitle said stock broker to handle such stocks, bonds or other securities in the state of Iowa as are known to be standard or are well known to be safe and legitimate investments, or such as are found by investigation of the secretary of state to be safe and legitimate stocks, bonds or other securities; provided, however, such stock broker shall file on the first and fifteenth days of each month a detailed list of the stocks, bonds or other securities on hand for sale and also all of those sold by him during the preceding half month and not previously reported; provided further, that said secretary of state shall have authority to prohibit the stock broker from handling any of such issues at any time or to cancel said stock broker's permit at any time he decides that said broker is not handling such securities as he deems good and legitimate investments. But the secretary of state of state shall not issue such annual permit to any stock broker until he has first satisfied himself by special investigation as to the character and responsibility of such stock broker and as to the character of the class of stocks, bonds and other securities handled by such stock broker; and also as to his reputation for handling such stocks, bonds and other securities as the secretary of state shall deem to be safe and legitimate investments. In the event the secretary of state shall make any investigation provided for under the provisions of this section, the expense incurred thereby shall be borne by the stock broker so investigated. He shall also pay a fee of fifty dollars ($50)

to the secretary of state for each of said annual permits, which permits, unless sooner revoked by the secretary of state, shall expire on the first secular day of July of each year. If said permit is issued after the first of January of any year, the fee shall be reduced one-half. Before being granted such permit by the secretary of state the stock broker shall give a bond in the penal sum of five thousand dollars ($5000) to the state of Iowa, conditioned upon a strict compliance with this act, which bond shall be approved by the executive council and filed with the secretary of state. Said bond shall be forfeited by a violation of the terms or conditions of this act, or by a conviction for such violation, and the attorney general of this state may institute suit in the name of the state of Iowa in any court of competent jurisdiction for a forfeiture thereof at any time within two years from the time the cause of action accrues.

Sec. 16. Nothing in this act shall be so construed as to prohibit a bona fide owner of any stocks, bonds or other securities, who is at the time a resident of this state, from selling exchanging or otherwise disposing of the same when not made in the course of continuing or repeated transactions of a similar nature, or when the said securities, including negotiable promissory notes, have been issued or given for goods, wares or merchandise purchased or dealt in by the issuer in the ordinary course of his business, or when sold, exchanged or otherwise disposed of to a bank, trust company, insurance company, building and loan association, or to a stock broker duly authorized to transact business within this state, provided that the same are sold by said owner in good faith and not for the purpose of evading the provisions of this act; and the secretary of state may authorize in writing any such bona fide owner of any stocks, bonds or other securities to sell in this state any other securities not included in the provisions set forth in the preceding portion of this section; provided, however, that it shall be made to appear to the satisfaction of the secretary of state that such stocks, bonds or other securities are safe and legitimate investments, and that they were acquired and held by the owner in good faith, and not for the purpose of evading the provisions of this act, and that said owner desires in good faith to dispose of said securities; but before such authorization shall issue the owner of such securities shall register, in a book kept for that purpose by the secretary of state, the stocks, bonds and other securities desired to be sold, giving the character of the security, the par value thereof, the date of issue, and any other data concerning the same which the secretary of state may require. A certificate fee of one dollar ($1) shall be charged for each such authorization.

Sec. 17. That each and every certificate or permit granted by the secretary of state under the provisions of this act to any investment company or to any stock broker, agent or representative thereof or to any other person, shall have printed across its face in bold type the statement: "The secretary of state in no wise recommends the stocks, bonds or other securities offered for sale by this (investment company, stock broker, agent, representative or person, as the case may be)"; and any investment company or any stock broker, agent or representative thereof or any person

who shall refer to such certificate or permit in any advertisement or printed matter of any kind shall also print in said advertisement or printed matter, with equal prominence, the statement: "The secretary of state in no wise recommends the stocks, bonds or other securities herein referred to".

Sec. 18. In the construction of this act the following definitions shall be followed, unless such construction would be inconsistent with the manifest intent or repugnant to the context of the statute:

1. That the name "investment company" as used in this act shall include every corporation or concern, however constituted, now or hereafter organized, which shall sell or cause to be sold or offered for sale, take subscriptions for, or negotiate for the sale of any stocks, bonds or other securities of any kind or character to any person or persons in the state of Iowa. But nothing in this act shall be construed to make the provisions thereof apply to state, savings, private or national banks, loan and trust companies, or corporations not organized for profit.

2. The name "domestic" as used in this act shall apply to those corporations or concerns incorporated or organized under the laws of Iowa or having their principal place of business in the state of Iowa; and the word "foreign shall apply to those corporations or concerns organized under the laws of another state or having their principal place of business outside of the state of Iowa.

3. The name "stock broker" as used in this act shall include every person, set of persons, association, company, co-partnership or corporation, who shall deal in stock, bonds or other securities covered by this act, or who shall sell, offer or negotiate for the sale, in the state of Iowa, of any stock, bonds or other securities covered by this act, or who shall underwrite or purchase such securities and re-sell them to any person or persons in the state of Iowa as a commission or profit.

4. The name "agent" as used in this act shall include any persons who shall act for any investment company or stock broker, offering for sale, taking subscriptions for, or negotiating for the sale of, or selling any securities for any investment company or stock broker, either as an employee on a salary basis or for a commission.

Sec. 19. All acts or parts of acts in so far as they are in conflict with this act are hereby repealed.

A. M. McColl,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

Mr. President—Your committee on Banks and Banking, to whom was referred Senate File No. 118, a bill for an act to confer additional powers

upon trust companies and to prescribe the conditions under which they may transact business, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

First—Strike out the words "real estate" in the fifth line of paragraph 8 of section two and insert in lieu thereof the words "farm lands."

Second—Insert the word "if" before the word "the" in the fourth line of section five.

Third—Amend section ten by striking out the words "said trust company" in line two and insert in lieu thereof the word "any"; also to insert the word "may" after the word "corporation" in the fourth line; also to insert the word "on" after the word "corporation" in the sixth line of said section; and when so amended the bill do pass.

A. M. McCOLL,
Chairman.

Ordered passed on file.

Journal of March 18th was taken up, corrected and approved.

Journal of March 19th was taken up, corrected and approved.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 439, a bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employers with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund.

On the adoption of the amendment offered by Senator Allen, the the ayes were:

Allen, Boe, Chase, Doran, Gillette, Hilsinger, Larrabee, Legel, Ream, Schrup, Smith, Spaulding, Webber, Wilson of Appanoose, Wilson of Clinton—15.

The nays were:

Ames, Balkema, Balluff, Clarkson, Crist, Crow, Fellows, Francis, Garrett, Heald, Jones, Malmberg, Mattes, McColl, Perkins, Quigley, Robinson, Savage, Sheean, Sullivan, Thomas, White—22.

Absent or not voting:

Arney, Cowles, Darrah, DeWolf, Dunnegan, Farr, Hagemann, Jewell, Kimball, McManus, Neal, Nye, Taylor—13.

So the amendment was lost.

Senator Balkema offered the following amendment and moved its adoption:

Amend the bill by numbering section 22 as section 23, and add the following as section 22:

Sec. 22. All acts and parts of acts in conflict with this act are hereby repealed.

Adopted.

Senator Balkema 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Farr, Fellows, Francis, Garrett, Heald, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Clinton—35.

The nays were:

Allen, Doran, Gillette, Hagemann, Legel, Nye, Ream, White, Wilson of Appanoose—9.

Absent or not voting:

Darrah, DeWolf, Dunnegan, Hilsinger, Jewell, Neal—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Balkema moved that the vote by which Senate File No. 439 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Carried.

Senator Balkema moved that the motion to reconsider filed by Senator Allen this A. M., be laid on the table.

On this motion, a roll call was demanded.

Those favoring the motion were:

Ames, Balkema, Balluff, Boe, Clarkson, Crow, Garrett, Heald, Jones, Larrabee, Malmberg, Mattes, McColl, McManus, Perkins, Quigley, Robinson, Sheean, Spaulding, Sullivan, Taylor, Thomas, Wilson of Clinton—23.

The nays were:

Allen, Arney, Chase, Cowles, Doran, Gillette, Hagemann, Kimball, Legel, Ream, Savage, Schrup, Webber, White, Wilson of Appanoose—15.

Absent or not voting:

Crist, Darrah, DeWolf, Dunnegan, Farr, Fellows, Francis, Hilsinger, Jewell, Neal, Nye, Smith—12.

Motion to lay on the table prevailed.

A committee appeared from the House and notified the Senate that the House was ready to receive the Senate in joint convention.

Senate proceeded to the House under the direction of the sergeant-at-arms.

JOINT CONVENTION.

The joint convention was called to order by President Harding, president of the joint convention, at 2:10 o'clock P. M.

The roll was then called, and the following responded as present:

Allen, Anderson of Montgomery, Anderson of Greene, Ames, Arney, Atkinson, Balkema, Balluff, Barry, Bartle, Bauman, Bernbrock, Bingham, Blackford, Bliss, Boe, Brady, Brockway, Brown, Bruce, Burt, Cannon, Carson, Chapman, Chase, Clarkson, Cole, Cowles, Craig, Crist, Crow, Crozier, Cunningham, Daniels, Dawson, Doran, Downey, Doze, Dunlap, Eggleston, Elliott, Elwood, Enger, Erickson, Fellows, Francis, Garrett, Gillette, Greene of Grundy, Greene of Clinton, Grout, Hadley, Hagemann, Halgrims, Halstead, Hamilton, Hansen, Hazen, Heald, Heaton, Helming, Hilsinger, Huff, Hunt, Huntley, Hutchins, Jacobs, Jacobson, Jamison, Jensen, Jones of Montgomery, Jones of Dickinson, Kane, Kelso, Kimball, Kingland, Klay, Koontz, Kulp, Larrabee of Webster, Larrabee of Fayette, Legel, Lenocker, LeRoy, Lounsberry, Lund, Malmberg, Manning, McColl, McHose, McManus, McVicker, Meredith, Miller, Milton, Mitchell, Munro, Newcomb, Nye, Odendahl, Perkins, Peterson, Pickford, Power, Quigley, Ream, Ring, Robinson, Rohwer, Rone, Saltzmann, Savage, Scholz, Schrup, Scott, Shankland, Sheean, Sherman, Smith, Spaulding, Steelsmith, Stipe, Stokes, Stutt, Sullivan, Taylor, Thomas, Thompson, Townsend, Trumbauer, Webb, Webber, White of Iowa, White of Benton, Whitney, Wilson of Appanoose, Wilson of Clinton. Workman—138.

Those absent were:

Black, Boettger, Bradley, Buxton, Clark, Cronbaugh, Darrah, DeWolf, Dixon, Dunnegan, Farr, Fraley, Jewell, Griffin, Griggs, Mattes, McCullough, Neal, Sidey—19.

President Harding announced the joint convention duly organized with a quorum of members present.

President Harding presented Governor Clarke as the presiding officer during the memorial services.

Prayer was offered by Rev. John L. Hillman of the First M. E. Church, of Des Moines.

O, Thou by whom we come to God,
The Life, the Truth, the Way;
The path of prayer thyself hast trod;
Lord, teach us how to pray!

Teach us that we may come before our Father in such a way that this hour may have largest significance for all the interests represented here.

We would recognize that the life we commemorate today was one of the choice gifts of Him who is the giver of every good and perfect gift. We lift our hearts in gratitude to our Heavenly Father, for the large contribution made to the life of our commonwealth by him whom we honor today. We thank Thee for the pioneer spirit with which he entered upon the study of the great questions of our social and political life. We thank Thee for the courage and persistence with which he championed the causes he espoused, for the trust he manifested in the triumph of the right, his confidence in the people, and the high moral and ethical ideals that were dominant in all his public life. We remember with gratitude the singular beauty of his home life, the blessed influence of the home on earth out of which he has gone to the home above. We would recognize that such a life is one of the choicest products of our free institutions, one of the richest treasures of our great commonwealth. We bow in submission to the loving Will that has called him from us, devoutly thanking Thee that he was spared to us for his long public career and for the beautiful twilight of his eventful life.

Oh thou Father of us all, wilt Thou be our teacher today. Speak through Thy servant who shall bring us the message of the hour, speak through the events that we shall live over in our thought, speak through the associations of this day. Help us that we may be ready learners. May this be an hour of consecration to the highest ideals in public, business and home life, that we may be more sacrificial in our citizenship, more unselfish in our friendship, more ready to follow in the footsteps of Him who went about doing good. May the influence of this gathering go out to the homes of our state, to our young manhood, calling it to a high faithfulness to the trusts of our age.

We pray for our chief magistrate and those who are associated with him, for the members of our legislature, for all our citizenship that together we may work out a high destiny for our great commonwealth and that we may make a worthy contribution to the life of our great nation.

For those who knew best and loved most dearly our deceased friend we pray the benediction of Thy comfort. May the hearts of this widow and these children be filled with a sense of holy triumph through the tender ministrations of Him who has promised, I will not leave you comfortless, may they be comforted in each other and may the fathers mantle fall upon his sons.

Make this a holy hour, one that shall leave a permanent impress for good upon us all and one that shall have large significance in the life of our people, and we will give to Thee the praise and the glory through Jesus Christ our risen Lord and Savior.

Governor Clarke, introducing Senator William S. Kenyon, spoke as follows:

Members of the Thirty-fifth General Assembly and Fellow Citizens:

We are met here this afternoon to honor the memory of one of Iowa's most distinguished men; a man who was a defender of the rights of the people; a man who placed the public welfare above every other consideration; a man who gave to the state many years of most distinguished public service; a man who was a safe adviser in both public and private life; a man who was the finest example of high-minded citizenship; a good man; a man whose memory will be cherished in Iowa through many, many years.

I know of no one in this state who was more intimately acquainted with him both in public and private, and indeed his family life, than was Senator Kenyon. I think, therefore, no one could be better prepared than he to speak on this occasion, and it therefore gives me the greatest pleasure indeed to present him to you today. Members of the Thirty-fifth General Assembly—Senator Kenyon.

SENATOR KENYON'S ADDRESS.

Two years ago the legislature of the state paused in its labor to commemorate by fitting service the life of one of Iowa's distinguished citizens who had passed from this world's activities before the time usually given to man. Just as his life had seemingly reached the point of greatest usefulness, by that inscrutible, mysterious working of Providence, he was called to another sphere. Today the legislature again pauses to fittingly observe the life of another great Iowan who likewise has passed to the other shore. Dolliver died before his work was done. For William Larrabee, "the mysterious clock, that marks the three score years and ten," had not run down before its time. He had finished his life work. Like the golden grain waiting to be garnered he was ready. As the parable "First the blade, then the ear, after that the full corn in the ear," so it was with him, he had reached full maturity. He was the "Good Man" Milton pictures as "The ripe fruit our earth holds up to God."

After a long and distinguished career, full of years and full of honor, he laid his burden down and passed into the dreamless and mysterious slumber we call death. Every man within the borders of the state when the news came of the death of this beloved citizen might well say, as King David said unto his servants when announcing the death of Abner: "There is 'a great man fallen' in Isreal," for in everything that goes to make real greatness, not one element was missing in William Larrabee, and it is altogether appropriate that his life be commemorated by the state he honored and loved.

While this occasion is one of sorrow, it is likewise one of rejoicing. Our hearts are heavy over our loss and the heartache ever will remain, yet we rejoice over his life accomplishment. His life was a triumph. Men differ from each other in achievement as stars differ from each other in glory. We are proud that he was of our state. We are glad that he cast his lot in Iowa. We glory in what he did for mankind. Our state is better for his life and the inspiration thereof has reached out and touched

many a soul who, because of him, will go forward with a more courageous heart, and higher aspiration to fight life's battle. Popular government is better and stronger today because he lived.

His life's story is the story of the opportunity and advancement of the poor boy in this country. It is the story of the plow boy, teacher, miller, banker, statesman. A man to be great should have something to do with the selection of his parents. He could not have more wisely selected. His father was a graduate of West Point, serving with distinction in the war of 1812. His mother was a sterling New England character, from whom he inherited a Puritan conscience.

In early boyhood through accident he lost the sight of one eye. Even in those early days he was a great student. Coming to Iowa when 21 years of age he served as foreman on a farm for two or three years. He was not satisfied to labor for others. He bought a mill in the little village and though it plunged him into thousands of dollars of indebtedness he went forward with a confidence in himself. Men drove from miles to this mill and there are men living in the neighborhood today who will tell you of his influence over them; will tell you of his honesty and unceasing toil. Standing at the hopper in the mill, he had McCauley's History of England and other books, which he studied at every spare moment. He wasted no time. Always a patriot, he was anxious to serve his country in the Civil War. He raised a company, but was denied admission because of the injury to his eye. Had he gone to war he would have achieved great military distinction. Not able to assist at the front, no man assisted more at home in taking care of the families where the fathers and brothers had gone to war. From his mill the soldiers' wives and families would receive free all the flour they needed and he was one of the committee to look after their interests. Even in those early days he exhibited that industry, perseverence, honesty, study and generosity which marked his after years. Such a man will soon make a mark and exert an influence upon the community and it is not strange that he was early called to public service. That public service is an open book to every man in Iowa; on the pages of that book there is not a stain.

I am one of those who believe that the Almighty is working out great purposes in this world.

"God moves in a mysterious way
His wonders to perform,
He plants his footsteps in the sea,
And rides upon the storm."

And his purposes are steadily marching on.

The transitions of history indicate that some great power is moving on through the instrumentality of finite beings to make this world a better place in which to live; we know it not at the time, but later see clearly. We cannot understand why one man is chosen and another

left. They may be men of equal ability, one goes forward—the other stands still. We must believe that there is a destiny shaping our ends in the lives of men and of nations. In this process God had set a great task for William Larrabee as one of His instrumentalities. When the hour struck for action he was ready. He was one of those whom Lowell described as—

"Men with Empires in their brain,"

and

"Great empires and small minds go illy together,"

said Edmund Burke. The only aristocracy of Governor Larrabee was the aristocracy of brain. He never permitted his soul's ideals to atrophy and die. He knew in his soul the great work he was here to do. The process of preparation was continuous with him. Public life was not for honor, but merely an opportunity for service. He scanned the political horizon and with broad vision saw the larger questions in our political and industrial life, which few seemed to perceive at that time, and on these questions he was twenty-five years in advance of his time. He was as the voice in the wilderness. He sounded the just note of warning against discrimination and unfair railroad rates, and his voice was one of the first to be heard. He knew the transportation question was the most important one for the American people. His book on that subject was the best contribution to the discussion of the times, and he lived to see his theories incorporated in state and federal statutes. Every man who travels the pathway of better legislation for corporate control, finds all along that pathway clear evidence of the blazing of the trail by William Larrabee a quarter of a century ago. At that time he was preaching the doctrine of the open door of equal opportunity, later popularized as the doctrine of the "Square deal."

PUBLIC SERVICE.

William Larrabee was first elected to the state senate in 1867. He occupied a seat in that body for eighteen years, most of the time chairman of the Ways and Means committee. He was nominated and elected governor of the state in 1885, was re-elected in 1887. The political seas were tumultuous during his term of service and it was not an easy task to safely guide the ship of state. His views on public questions are best gathered from his messages to the legislature and his inaugural addresses. They are likewise an index to his political ideals.

In his first inaugural with reference to the industrial question, he said:

"The industrial question, involving the relations between labor and capital, the rate of wages, and the proper distribution of wealth, is by no means a new one, nor does it require the application of new principles for its solution, but rather the reviving of new confidence in old virtue."

On Education:

"The most powerful lever of progress is education. If it is true, as I hold it to be, that ignorance, poverty and crime are intimately related, it is the duty of every state to educate."

His views upon the liquor question at that early date were fixed and firm, as evidenced by the following:

"The saloon is the educational institution which takes no vacation or recess and where the lowest and most pernicious political doctrines are taught. Its thousands of graduates may be found in all positions of wretchedness and disgrace, and are the most successful candidates for our poorhouses and penitentiaries. It is the bank where money, time, strength, manliness, self-control and happiness are deposited to be lost, where drafts are drawn on the widows and orphans, and where dividends are paid only to his Satanic Majesty. Let it perish."

The agricultural interests of the state were close to his heart. In his first biennial message, speaking thereof, he said:

"Agriculture is our chief interest. If it languishes all other interests suffer. It deserves the care and attention of both the state and national legislature. The diseases which affect our live stock are general and can be dealt with effectually and finally only by national authority. I recommend that congress be memorialized by you to make ample appropriations which can be used in emergencies to crush out pleuro-pneumonia, hog cholera and similar contagious diseases. By prompt and energetic action action many millions might be saved."

The agricultural and horticultural societies, fine stock associations and other organizations have been doing good work. These, with farmers' institutes and other methods of awakening the public mind and securing the intelligent application of the best means to produce the highest prosperity upon the farms of Iowa, and the greatest happiness in the homes which beautify the prairies of our state, should be liberally encouraged by the representatives of the people in their legislative action.

His views on railroad legislation were forceful, as set forth in the same message, in part as follows:

"First. I recommend the passage of a law destroying the pass system root and branch. No one should be permitted to ride free except the officers and employes of railroads, and they only when traveling upon the legitimate business of their respective companies. Neither passes nor mileage tickets should be used in payment for services or work of any kind done for railroad companies. Such services and work should be paid for in cash.

"Second. I recommend that maximum passenger fares on first class roads be fixed at two cents a mile. In my judgment increased travel, and

receipts from those who formerly traveled on passes will soon make up to the railroad companies any loss they may suffer from this reduction in fares, and the change will prove beneficial both to them and to the people. A large percentage of the business is already done at this rate, but not enjoyed by those least able to pay.

"Third. I recommend the passage of a law fixing reasonable maximum rates of freight on the principal commodities transported by rail; and also authorizing and requiring the railroad commissioners to reduce said rates at any time when, in their judgment, they are too high. If it shall be held that the legislature cannot delegate to the commissioners the power to absolutely fix such rates, then they should be regarded as prima facie reasonable rates. Railroads should not be permitted to raise any freight rate at any time without the approval of the railroad commissioners.

"The companies should be required to furnish sufficient freight cars. There have been, during the present season, hardship and suffering in the midst of plenty, in the northwestern part of the state, because of the failure of the railroads to provide sufficient rolling stock to move the products of that section."

In his second inaugural address, he dealt with all the questions agitating the minds of the people, but laid special stress on the transportation question. He maintained therein that the charges for transportation as prevailing in the state were far too high and bore little or no relation to the cost of service.

Just at this time when the physical valuation bill has passed congress, it is interesting to note the following language from his inaugural:

"Owners of railroads are no more entitled to a perpetual royalty than inventors. For a certain period of time, perhaps as long as similar privileges are enjoyed by patentees, railroads should be allowed liberal returns for their capital and enterprise; and if at the end of such a period it be found that similar roads could be constructed and equipped at a reduced cost, then their rates of transportation should be proportionately reduced."

He had come to the belief that the railroad question was the most important question and he did not hesitate to speak out. Note this language in his second inaugural, the words of a courageous man:

"Railroads have in the course of time usurped powers dangerous to the public welfare, and have practiced extortions perhaps less cruel, but in the aggregate more gigantic, thon those of the British landlord." * * * *

"Thucydides relates how the Grecians, in olden times, engaged in the business of piracy under the command of men of great boldness and ability, and how the men so engaged, both enriched themselves and supported their poor by their booty. They ravaged villages and plundered unfortified places. This was not at that time an employment of reproach,

but rather exalted those piratical adventurers in the estimation of their kin. It appears that a class of persons has grown up under the refining influence of our modern age with tendencies similar to those of that sturdy race; and, strange as it may seem, some people even on our soil attribute honor to their practices."

He realized there was a community of interest between the state and its public corporations, but he knew that abuses existed and that the people were determined that such abuses should be corrected. He did not advocate any legislation detrimental to the best interests of railroads, but he demanded that they must submit to proper control. He said:

"Long continued abuses and aggressions will finally arouse the people; and law, the outgrowth of the necessities of the community, will surely, though insensibly, be moulded by public opinion."

Speaking of the railroad commission, he said:

"The railroad commission was created to be a committee of the people obligated to advocate their rights. Organized capital can safely be trusted to defend itself."

His last biennial message is perhaps his greatest state paper, and his guide boards there for men in public life can be followed with safety. He reviewed with the minutest detail the business of the state, and with a comprehensiveness and a clearness that challenges admiration. He had seen the last General Assembly enact the maximum rate law to regulate the rates of common carriers in the state; he had seen it pass both houses without a dissenting vote. He believed in the wisdom of the measure and felt in writing his last message that the great work he had set out to do in the enactment of this railroad legislation, had been accomplished, and it was his greatest work. No change had come over the spirit of his dreams with the reference to the liquor question. Note this language:

"But if we must have the saloon, why place a high tax upon it? We might as well tax the gambling-house and the brothel. It is the theory of our law to tax property for the support of the government. The saloon-tax, however, is as a rule not paid by the owners of large property, but by people of small means. Is it the standard of Iowa manhood to rob women and children of the earnings of their husbands and fathers for the purpose of relieving property owners of the payment of legitimate taxes? Yet it is not true that licensing of saloons reduces taxation, for the increase in the expenses of the courts, poor-houses, and prisons far exceeds the tax collected from the saloon. Besides, three-fourths of the losses and bad debts incurred by business men can be traced directly or indirectly to the evil of intemperance."

And the conclusion of this great message might be read, with profit, to the legislature upon his birthday, as the farewell address of the father of his country is read in the halls of the national congress upon his

birthday. Nothing is more indicative of the character of the man than this portion of his message. Was ever a higher appeal to patriotism penned than this:

"It is a high honor to be called upon to legislate for a free people, and a higher one still to so legislate as to enhance the security of life and property, to promote education and morality, to protect the weak and ameliorate the condition of the unfortunate." * * * * * *

Further:

"You should remember that, while wealth and power are always vigilant in the protection of their interests, the weak and the poor must rely upon your sense of fairness and justice for protection. All interests should be given a public hearing, but the character of the men representing such interests and the motives governing their action should be kept in view. Subsidized agents should not be permitted to creep into your confidence in disguise."

Again:

"You cannot afford to ask favors from corporations for your constituents, but you should always demand for them their rights. There is every year a greater disproportion between the rich and the poor; and the legislator should not ignore the tendency of wealth to concentrate, but should carefully consider every measure likely to affect, directly or indirectly, the accumulation and distribution of wealth. * * * * Appropriation bills and other important measures should be presented early and carefully considered, and should, under no circumstances be permitted to be crowded into the closing hours of the session."

That advice ought to be heeded by the national congress as well as state legislature. His guide to duty as a public official was clearly set forth in other words of this remarkable conclusion:

"In the discharge of my official duties it has been my earnest endeavor to promote the welfare of the commonwealth by divesting myself of all personal, local, and partisan considerations, and rendering obedience only to the law and the dictates of my conscience."

Read the great state papers of this country, none are clearer in expression, none purer in diction. His state papers are monuments to his energy, wisdom, sense of clearness and capacity for doing. Governor Larrabee was a thinking, not a talking statesman. He devoted to public service the same energy as to private business, or even more so; he believed a dollar of public money should go as far as a dollar of private money; he believed a man should give even more energy to public life than to private life. Public affairs were to him a sacred trust. There is no doubt that had be desired he could have occupied a seat in the national congress, but he preferred to return to the quietude of his own home; preferred not again to hold public office although if the

call of the state should come, and it seemed to him a call of duty, he would respond; this call came when Governor Shaw appointed him on the first board of control. There he served with Judge Kinnie and his good friend John Cownie, in the formative period of the great work carried on by the board of control. In 1904 he was president of the Iowa commission of the Louisiana Purchase Exposition. It has been told by one of his good friends, that the only office to which he was really anxious to be elected, was that of road supervisor. He was in advance of his time in road-making, as he was in railroad rate-making. It is passing strange that the apparently small ambition to fill this office was never gratified. Suffice it to say, that had he been elected, his district would have had roads which could have well been taken as models for good road construction.

In all his political life he was never without a strong abiding champion, Conscience.

After his retirement from public life he did not hesitate to partake in the stirring political events and campaigns. He made addresses in Governor Cummins' campaign for re-election and in the Allison-Cummins senatorial campaign. He did not hesitate to break friendship where principle was involved. He broke some close friendships in those campaigns.

In 1906, speaking at Fayette, on the achievement of the Republican party, among things showing that he felt the railroad problem was still an important question in this country, and that had not been finally settled, he said:

"Dividends are paid by the railroads on at least twice as much capital as was ever invested in them by the stockholders; more than one-half the stock issued by them in water, for which no legitimate payment was ever made. The railroads in Iowa are capitalized and dividends are paid on more than twice as much as was ever invested in them by the stockholders. We have heard great complaints of the evils of absentee ownership, and the excessive amounts taken from Ireland by the English and from Cuba by the Spanish, yet we are suffering from the same thing right here in Iowa. Wall Street took in net earnings from the railroads in the state last year, after paying all expenses of operation, all taxes, and large amounts for betterments, over $10,000,000.00 more than it was legitimately entitled to."

Speaking at West Union, in the campaign for Governor Cummins, he sounded this call to duty:

"The battle between right and wrong will not cease until the decay of civilization. Questions are never settled until they are settled right."

It sounds like a clarion note from speeches of Abraham Lincoln.

The golden age of his life was after his retirement from public service. It was the harvest season for him, reaping the result of the good seed he had sown in earlier life.

"Who soweth good seed shall surely reap,
The year grows rich as it groweth old,
And life's latest sands are its sands of gold."

He was greater in retirement than in any other sphere of his life. Different from many men in public life he cared not for its glamour. In a notation in one of his books, referring to Gladstone's retirement, he wrote:

"Gladstone retired on his own motion; showed good sense."

He did not follow as many men do the call of the great city but as Washington at Mt. Vernon, Jefferson at Monticello, Jackson at the Hermitage, he retired to Montauk and to a position of dignity and of great power. As Mt. Vernon is an inspiration to the nation, so is Montauk to the state. The influence thereof was not limited to the county of Fayette, nor to the state of Iowa, but it was nation wide. On an eminence, overlooking the beautiful valley, he built the substantial brick home, always his beloved dwelling place. The surrounding country resembled the New England hills from whence he came. On the lawn he later placed statues of eminent generals, attesting his patriotism. On two sides of the house are acres of pines put out by him in an early day. To the rear, fields of Iowa's fertile soil, an orchard of his own planting; in front a vineyard on the hill. There he could wander through the days, could listen to the music of the pines, look over the vast area stretching before his vision. No city life could be as inspiring as that; no man could be narrow in that atmosphere. It illustrated his wisdom that in laying down the burdens of state, he went back to the old home. Men came from far and near to sit at his feet and learn wisdom; his influence was more powerful at Montauk in those later years than when he occupied the governor's chair, greater than had he occupied a place in the national congress. That house at Montauk with those surroundings always seemed to me a little section of Paradise. His home life was, "A sweet savor wherever happy homes are recognized as the citadel of virtue and the hope of the world." I have so often gone as if on a sacred pilgrimage to Montauk, roamed its fields, rested neath the shade of the old trees, sat in the library with this wonderful man, listening to his words of wisdom. He would relieve the tension of discussion now and then by the music of a Tetrazinni or a Caruso on the Victrola, or the suggestion, "Shall we now listen to a speech from Bryan?" from the same instrument.

The best work of the sculptor graced the home. Beautiful paintings here and there; busts of Lincoln, Sherman, Grant and others. Surrounded by his children, his grandchildren, and a wife who glorified womanhood, and who had been his greatest aid in all his work. Ah! such homes indeed are the foundations of the republic. One might well exclaim with Bobby Burns in the immortal Cotter's Saturday Night:

"From scenes like this, Old Scotia's grandeur springs,
That makes her loved at home, rever'd abroad."

It was an atmosphere in which to meditate; it was an atmosphere to develop the best that is in men and women, and there is little wonder that the sons who have come out from that home have taken prominent positions in our state, and the daughters are beloved in their communities. It could not be otherwise. To know William Larrabee well was to know him in his home, it was a part of himself. He exhibited there a love of knowledge and literature; a mastery of books; a memory of historic incident that was most remarkable. He was an inveterate reader and had an insatiable appetite for knowledge. Going through his library, which contains thousands of volumes of the best reading, and taking here and there a book from the shelves, one finds marginal notes and evidence that he read a book not only once, but twice and thrice; he made friends of books. It was not unusual to find him at six o'clock in the morning reading, and some days he would read all day, retiring early at night.

Through it all, the fairest flower of his life, blooming there and everywhere, was gentleness; a gentleness, however, that did not mean absence of vigor, for when aroused over the abuses that he felt had crept into our body politic or over some wrong in legislation, there would be a flash of the eye, and a firmness of the voice that indicated the fighting qualities of this gentle man.

No one can estimate the value of such a life to a community or a state. One such life can transform the whole community. As I have observed this man in the little village of Clermont, and his wife at her Sunday Bible Class, the good people of the village gathering in, I have felt how blessed is any village or town having one such family within its borders. In the midst of heavy business cares, he never forgot his duties as a citizen. The words of John Milton are so true and applicable to him:

"There is nothing that makes men rich and strong,
But that which they carry inside of them.
Wealth is of heart, not of mind."

While he had what the world called wealth, he had the greater wealth not measured by fields or buildings, or dollars, the wealth of a good heart and clean mind; the wealth of a contented spirit; a wealth of sympathy in humanity's woes. No unfortunate could come to the gates of Montauk and not receive help; no despondent soul but went from its doors with a renewed vision of hope; none who had come for wisdom went emptily away. Schools and colleges attest his generous beneficience. Of whom could it more justly be said:
square dealing, will be written by the legislators because of his influence. Many a youth of the state will strive to be like him; many a deed of kindness done by those who cherish his unselfish life; many a cup of cold water given in his name, and so his spirit ever abideth with us, and so are the words of the scripture fulfilled: "His works do follow him."

On a beautiful day last November there gathered from near and far a great concourse of people to pay their last tribute of love and devotion

"His life was gentle, and the elements so mixed in him,
That nature might stand up and say to all the world:
This was a man!"

I could not, in the brief period assigned to me for this occasion, undertake to analyze and set forth completely all the characteristics of this splendid man. Naturally when we view such a character who has left his imprint upon the history of our state, we look for the elements of success—there seemed to be many in him. He had a sublime courage, knowing not the meaning of fear. That courage arose from a complete harmony with conscience. There was a persistency in doing in his nature, and a doing for the right—giant power and indomnitable energy. That energy and will power he applied to every task. Goethe has truly said: "The difference between great and little men is the amount of energy applied to their undertakings." Justice was a passion with him, and true indeed as Addison has written: "There is no virtue so truly great and Godlike as justice." Men who are not wise cannot be just. By nature honest not only with others but with himself, imbued with a spirit of fair dealing, he loved the right and hated the wrong. His life was a protest against a life of ease—it was not merely a problem to him of killing time. He had an abhorrence for the shoddy and the sham. He cared nothing for popularity; he knew that fame was a mere passing vapor, and while he despised the wrong, he had a charity that suffered long and was kind. He harbored no malice, but he brooked no compromise. The Sermon on the Mount was his guide. While he was resolute in conviction, he was mild and gentle in manner; exacting yet indulgent; and his children can look back to the vigorous manner in which he was always accustomed to say: "Make no compromise with evil."

Not an orator in the popular acceptance of the term, but yet so possessed with the confidence of the people that they would believe every word he might say, he was a power on the platform. Every man who listened knew that Governor Larrabee would not say one false word; that he would not seek to convey any wrong impression of his position for the sake of gaining an end. How simple his life was, and I am sure that same simplicity he would have desired in death, that he would endorse the letter of Burke to Matthew Smith: "I would rather sleep in some corner of a little country church yard than in the tombs of the Capulets." And in the little country church yard—God's acre—he sleepeth.

These gentle, simple, honest traits made a personality that gripped him to the affections of the people and at the time of his death he was without doubt first in the confidence and affection of the state.

During the closing months of his life, and before election, I visited him several times at Montauk. Because of his physical weakness I could only talk with him for a brief period of time, and would then go out and come back in an hour or so. I knew the shadow of death was near; he knew it also. It haunted his room, it was with him in the waking hours of the night. How brilliant his mind was during all that time. He

had set his firm resolution upon one thing, to cast his ballot on election day, and his determination was so great I have never questioned it was the thing that kept him alive during those weeks. In all of those conversations he would say, repeating it again and again: "I have great confidence in the people. They will do the right thing, they will work this problem out." He always had that confidence in the people, elevation to power never took him from the people. I have often wished we had a congress full of William Larrabees—what a congress that would be.

Men can be judged somewhat by the books they read. Governor Larrabee surrounded himself with the best of the world's literature; ancient as well as current. You would find in his library the latest works of eminent authors and all the periodicals of the day. That library was and is an inspiring spot. His admiration for the military is shown by the paintings and busts there. He must have been a disciple of Lincoln, for in his library are three busts of Abraham Lincoln, one painting and a picture; while down in the little village stands a statue of the great emancipator—his gift to the home folks.

On the shelves of the library are found the choicest works of the poets; the best histories and scientific books. You can take down the Lives of American Statesmen; find shelf after shelf devoted to our great generals, and reminiscences of the Civil War; a whole shelf filled with books on the railroad problems; Bryce's American Commonwealth; Ferrero's Greatness and Decline of Rome; Diary of James K. Polk; Letters of Queen Victoria; Van Holst's Constitution of the United States; John Mitchell's Organized Labor; Mirabeau on The French Revolution; Side Lights on Astronomy. A book on School Architecture, which he had studied carefully, together with the plans of the model school building he was constructing as a gift to his town at the time of his death. Also books with reference to the Spanish language, which he commenced to learn when he was 80 years of age. It is most interesting to take down these books and note his comments thereon. They are all marked. In Parson's "Heart of the Railroad Problem," where the author speaks of rebating and railroad officials who permitted rebating, on the margin the governor has written: "Send them to the penitentiary; they are worse than chicken thieves." In the notes of same book the author speaks of the railroads boycotting Lawson day at Ottawa, Kansas, Chautauqua: "Same with LaFollette at Strawberry Point."

Evidently Grant was his favorite general, in "Reminiscences of the Confederacy;" he has written on the margin, speaking of Grant: "He used to come to Clermont, and sold leather to C. F. Weck."

In the "Life of Jefferson" with reference to the author's suggestion that Jefferson would have favored the annexation of Cuba and objected to the annexation of the Philippines and the Hawaiian Islands, he had written on the bottom of the page: "I agree with him as to Cuba and the Philippines." Evidently the governor was not much of an expansionist.

In the same work, and there speaking of Jefferson's belief, that the voice of the people is the voice of God, the governor had written on the margin: "Comes nearer to it than anything else."

At the close of Well's "The Future in America" he had written in language very similar to the text: "Congress, at present the feeblest, least accessible, and most inefficient government of any civilized nation, is the worst west of Russia. Congress is entirely inadequate to the tasks of the present time."

I am glad there is no date given to the time when the governor made these sage observations as to congress.

At the close of Henry George, Jr.'s, "The Menace of Privilege," he observes on the margin: "Many good things said, and many impractical things advocated."

In Chandler's "Trial of Jesus" the author refers to the grandeur of character of Napoleon Bonaparte, and the governor remarks: "He retired like a whipped cur after he was restrained from lawless career; lawless life rather than loftiness of life."

President Roosevelt's message of January 31, 1908, with reference to employers' liability act and experience of the interstate commerce commission, seemed to be a special friend of his. At his desk is a copy marked, and one part is so marked that it cannot escape notice, that which reads:

"Our main quarrel is not with these agents and representatives of the interests. They derive their chief power from the great sinister offenders who stand behind them. They are but puppets who move when the strings are pulled. It is not the puppets, but the strong cunning men, and the mighty forces working for evil, behind and through the puppets, with whom we have to deal."

In his old diary, which it was my privilege a short time ago to see, are recorded daily events of his life as far back as 1853, and a wonderfully interesting life it was even at that early period.

The diary shows that as a young man he loved the outdoor life; that his days were days of toil, often working all day and all night. He remembered his father as a presidential elector in the Harrison campaign. His diary shows that he taught school in an old log school house when he first came to Iowa, boarding around the district.

In "Lecky's Map of Life" are marked a number of passages, showing that he ofttimes reflected on the hereafter. I was especially impressed in going through this book with the following passages marked by him:

"He should accustom himself, then, to think of death as sleep—the only sleep from which man never wakes to pain."

"Every good man knowing the certainty of death and the uncertainty of its hour, will make it one of his first duties to provide for those he loves, when he has himself passed away."

"The great guiding landmarks of a man's life are indeed few and simple; to do our duty; to avoid useless sorrow; to acquiesce patiently in the inevitable."

How he followed these landmarks as laid down therein his life record attests.

Always calm, tranquil and poiseful, those traits never left him in the closing weeks. He faced the Grim Reaper with the same courage that he had faced every other problem, and when amid those beautiful surroundings with his family by his side, with the people of the great state hoping against hope that he might be spared a few days longer, death touched him and he fell asleep. When the mysterious bark floated out with the tide, it carried over the river immortal, to glorify that mansion not made with hands, eternal in the heavens, a soul as pure as on the day God sent it into the world.

What lessons in this life for the young manhood of our state and nation. He was a great believer in young men, and he may well serve as an example for them. Young men can learn from him that there is no success without labor. Work was his key to success, he went to the root of every question, worked twenty hours a day sometimes in busy season. True indeed::

"The heights by great men reached and kept,
Were not attained by sudden flight,
But they, while their companions slept,
Were toiling upward in the night."

He believed in the gospel of labor. He knew that the mere accumulation of fortune does not mean success; that success comes from a life of service.

How truly he exemplified that "A good name is rather to be chosen than great riches." He made the name of Larrabee a synonym of purity in private life, efficiency and honesty in public life. The manhood of our state is safe when the young men and boys growing up have the lesson of such lives before them, and strive to emulate them. Such lives really never die. It is not so much that they live on in that other land, waiting to bid us welcome, but through their influence, they live on in this life. Is the sweet singer of Israel dead? Do not Longfellow and Tennyson live on in the hearts of those who love the beautiful and the good? Is Lincoln dead?—Listen and hear the response of millions of freemen marching on. No man dies who leaves behind him an influence inspiring men and women to do better things. And in this way William Larrabee lives on. Many a law for humanity, many a statute for fair play, for to the master of Montauk, the aged and the young; the priest and sinner; from farm and from city. No one present can ever forget that scene, an Iowa Indian Summer day and nothing is more sublime. Nature aglow with beauty as if it would glorify the surroundings, the simple service out of doors upon the porch where he so often had stood and watched the going down of the sun, the beautiful view down the valley and over to the hills, and the moaning of the sorrowing pines. With tear-dimmed eyes we followed him to the silent city; school children along the way attesting their love; flags at half mast. On every hand evidences of his benefactions to his town. When the simple service was over and we had given back to earth her treasure, I retraced my steps to the

old home, wandered out alone amid the pines, their needles as a velvety carpet, their odor a sweet incense, their swaying tops sighing a requiem, and there through the trees could be seen the sun just sinking to rest, and sending back its mysterious messages to the earth, messages from the eternal mansions to which he had gone, messages of cheer, of inspiration, messages of the good life, of service and devotion to country, of love for fellowmen and I thanked God for the inspiration of the life of a Larrabee to the manhood of the state. And, "as the arrows of sunset lodged in the tree tops bright" I realized that the gates of light, we know not where, but somewhere, had opened wide for him, that:

"Somewhere the sun is shining,
Somewhere the song birds dwell."

And I knew that somewhere the Master was saying: "Well done, good and faithful servant."

The shadows commenced to lengthen and twilight approach, and as I turned my steps toward the house that never more would seem the same, there came to me the comforting words of the "Christian's Goodnight," nor farewell but merely goodnight, for on some other shore, somewhere, some time, some day, we shall say not goodnight, but good morning:

"Good night, beloved, blessed be thy rest,
Come lay thy head upon the Savior's breast,
We loved thee well, but Jesus loved thee best,
Goodnight! Goodnight! Goodnight!"

Senator Thomas of Union moved that the address of Governor Geo. W. Clarke, the prayer by Rev. John L. Hillman, and the memorial address by United States Senator W. S. Kenyon, be printed in the Senate and House Journals as a part of the record of the joint assembly.

Carried.

On motion of Senator McColl of Dallas, the joint convention was dissolved.

Senate returned to the Senate chamber and resumed its sitting.

Senator Schrup 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 21, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. P. S. Ervin, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Dunnegan presented a remonstrance of citizens of Page county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a remonstrance of citizens of Muscatine and Louisa counties opposing Senate File No. 338, relative to drainage.

Referred to committee on Judiciary.

Senator Webber presented a remonstrance of citizens of Wapello county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Balkema presented a remonstrance of citizens of Hull, Orange City and Perkins protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Ream presented a remonstrance of citizens of Givin protesting against a permanent tax commission.

Referred to committee on Ways and Means.

REPORTS OF COMMITTEE.

Senator Malmberg, from the committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your committee on Constitutional Amendments, to whom was referred Senate Joint Resolution No. 5, a joint resolution proposing an amendment to the constitution of the state of Iowa, repealing section seven (7) of article two (2) of said constitution and proposing a substitute therefor, relating to and providing for the time of holding general elections, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR JOINT RESOLUTION NO. 5.

JOINT RESOLUTION Proposing an Amendment to the Constitution of the State of Iowa, Repealing Section Seven (7) of Article Two (2) of Said Constitution and Proposing a Substitute Therefor, Relating to and Providing for the Time of Holding General Elections.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That the following amendment to the constitution of the state of Iowa be and the same is hereby proposed and referred to the Thirty-sixth General Assembly of Iowa:

"That section seven (7) of article two (2) of the constitution of the state of Iowa is hereby repealed and the following enacted in lieu thereof, to-wit:

The general election for state, district, county and township officers, in years in which presidential electors are elected, shall be held on the day fixed by the laws of the United States for the election of presidential electors and in the same corresponding month on the same corresponding day thereof, in other even numbered years."; and when so amended the joint resolution do pass.

ED. P. MALMBERG,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Constitutional Amendments, to whom was referred Senate Joint Resolution No. 3, a resolution proposing to repeal section one (1) of article two (2) of the constitution of the state of Iowa and to enact a substitute therefor relating to the right of suffrage, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ED. P. MALMBERG,
Chairman.

Senator Malmberg moved the adoption of the report of the committee.

Adopted.

So the resolution was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Constitutional Amendments, to whom was referred Senate Joint Resolution No. 8, a resolution making application to the congress of the United States for an amendment to the constitution of the United States, providing for the election of president and vice president by direct vote, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ED. P. MALMBERG,
Chairman.

Senator Malmberg moved the adoption of the report of the committee.

Adopted.

So the resolution 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 bill, in which the concurrence of the Senate is asked:

House File No. 439, a bill for an act to authorize the appointment of special agents to aid in the detection and conviction of criminals, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 133, a bill for an act to amend the law as it appears in section 1869 of the Supplement to the Code, relating to officers of savings and state banks.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 115, a bill for an act to amend section 740 of the Supplement to the Code, 1907, as amended by chapter 47 of the acts of the Thirty-third General Assembly, relating to powers of counties, etc., to take property by gift or bequest.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the speaker of the House has appointed as Conference committee on the part of the House on House File No. 157, a bill for an act to amend section 2584 of the Code; to repeal section 2589-a, Supplement to the Code, 1907, as amended by section 2 of chapter 123, laws of the Thirty-fourth General Assembly, and to enact a substitute therefor; to repeal section 2585 of the Supplement to the Code, 1907, as amended by chapter 123, acts of the Thirty-fourth General Assembly, and enact a substitute therefor; relating to practice of pharmacy and to the sale of drugs, etc., Representatives Burt of Taylor, Klay of Sioux, Newcomb of Adams and Lenocker of Pottawattamie.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 387, a bill for an act to legalize the proceedings of the city council of the city of Des Moines, Iowa, for the construction of the seventh ward sewer system in said city.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 124, a bill for an act to amend section 3802 of the Code, relative to the lien of judgments.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House File No. 439, a bill for an act to authorize the appointment of special agents to aid in the detection, identification, capture and conviction of criminals, delinquents and defectives, and to require the co-operation and assistance of all sheriffs, police and peace officers and all other officers charged with the care, supervision and jurisdiction over criminals, delinquents or defectives.

Read first and second time and referred to committee on Judiciary.

House File No. 133, a bill for an act to amend the law as it appears in section one thousand eight hundred and sixty-nine (1869) of the supplement to the code, 1907, relating to pay of and loan to officers of savings and state banks.

Read first and second time and referred to committee on Banks.

House File No. 115, a bill for an act to amend section seven hundred forty (740) of the supplement to the code, 1907, as amended by chapter forty-seven (47) of the Acts of the Thirty-third General Assembly, relating to powers of counties, cities, towns, civil townships wholly outside any city or incorporated town and school corporation to take property by gift or bequest.

Read first and second time and referred to committee on Judiciary.

House File No. 157, a bill for an act to amend section twenty-five hundred and eighty-four (2584) of the code; to repeal section twenty-five hundred and eighty-nine-a (2589-a), supplement to the code, 1907, as amended by section two (2) of chapter one hundred and twenty-three (123), laws of the Thirty-fourth General Assembly, and to enact a substitute therefor; to repeal section twenty-five hundred and eighty-five (2585) of the supplement to the code, 1907, as amended by chapter one hundred and twenty-three (123) of the Acts of the Thirty-fourth General Assembly, and enact a substitute therefor; relating to practice of pharmacy and to sale of drugs, medicines, poisons and chemicals.

Passed on file.

Senate File No. 387, a bill for an act to legalize the proceedings of the city council of the city of Des Moines, Iowa, for the construction of the seventh ward sewer system in said city.

Passed on file.

Senate File No. 124, a bill for an act to amend section three thousand eight hundred two (3802) of the code relative to the lien of judgments.

Passed on file.

Senator Gillette moved that the Senate request the return of House File No. 87 from the House.

Carried.

Senator Cowles moved that substitute for Senate File No. 118 be made a special order for next Tuesday, March 25th, at 10 o'clock.

Carried.

On request of Senator Taylor, leave of absence was granted Senator Neal for the day.

THIRD READING OF BILLS.

On motion of Senator Perkins, Senate File No. 457, a bill for an act authorizing and directing the governor to appoint a commission of three persons to be known as "The Vice Investigation Committee" for the purpose of investigating vice conditions in this state and the causes thereof; also defining the duties of said committee, was taken up and considered.

Senator Perkins 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 ayes were:

Allen, Arney, Balkema, Boe, Chase, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Nye, Perkins, Ream, Robinson, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—37.

The nays were:

None.

Absent or not voting:

Ames, Balluff, Clarkson, DeWolf, Farr, Hagemann, Jewell, Mattes, Neal, Quigley, Savage, Sheean, Wilson of Clinton—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Perkins, Senate File No. 461, a bill for an act making appropriations to defray the expense of the "vice investigation committee," was taken up and considered.

Senator Perkins 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Bee, Chase, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Nye, Perkins, Quigley, Ream, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—42.

The nays were:

None.

Absent or not voting:

Clarkson, Jewell, McColl, Neal, Savage, Schrup, Sheean, Wilson of Clinton—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House returns herewith the following bill as requested, in which the concurrence of the House was asked:

House File No. 87, a bill for an act to amend section 4603 of the Code, providing for the cross-examination of an adverse party to the record of any civil action or proceeding.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Thomas, substitute for Senate File No. 121, a bill for an act to amend the law as it appears in chapter one hundred forty-two (142), acts of the Thirty-third General Assembly, relating to the number of persons to whom city or town councils may, by resolution, grant consent to sell intoxicating liquors and making the same apply to cities acting under special

charter, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Thomas moved that the substitute for the original bill be adopted.

Adopted.

Senator Thomas 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 ayes were:

Balkema, Balluff, Boe, Chase, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—41.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Clarkson, Jewell, Neal, Perkins, Savage, Wilson of Clinton—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Cowles, Senate File No. 413, a bill for an act to legalize the incorporation and acts and proceedings of Leopold Desk Company of Burlington, Des Moines county, Iowa, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Cowles moved the adoption of the following amendment:

By adding: Sec. 2. Nothing herein contained shall be construed to affect pending litigation.

Adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend section one by striking out all after the word "legalized" in the second line of said section and insert in lieu thereof the following: "and declared to be as legal, sufficient and binding in all respects as if said corporation had furnished the executive council of the state of Iowa with a schedule of its assets and said assets had been valued, as provided by statute."

Adopted.

Senator Cowles offered the following amendment and moved its adoption:

Renumber the publication clause as section 3.

Adopted.

Senator Cowles 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 ayes were:

Allen, Arney, Balkema, Boe, Chase, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, Webber, White, Wilson of Appanoose—39.

The nays were:

None.

Absent or not voting:

Ames, Balluff, Clarkson, DeWolf, Jewell, Neal, Savage, Smith, Taylor, Thomas, Wilson of Clinton—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Sullivan, Senate File No. 375, a bill for an act to amend section 4612 of the code relating to criminating questions propounded to witness in certain cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Sullivan moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Liegel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose—39.

The nays were:

None.

Absent or not voting:

Ames, Chase, DeWolf, Jewell, McManus, Neal, Ream, Savage, Smith, White, Wilson of Clinton—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Crow, House File No. 138, a bill for an act to legalize certain warrants of the city of Onawa, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Crow moved that the rule be suspended, the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Appanoose—41.

The nays were:

None.

Absent or not voting:

Ames, DeWolf, Jewell, Mattes, McManus, Neal, Savage, Sullivan, Wilson of Clinton—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Crow, House File No. 343, a bill for an act to legalize an election held in the town of Modale, Iowa, March 25th, 1912, in electing councilmen; and to legalize the acts of the council of said town in filling vacancies in said council, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Crow 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—39.

The nays were:

None.

Absent or not voting:

Ames, Cowles, Farr, Jewell, Mattes, Neal, Ream, Savage, Webber, White, Wilson of Clinton—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Schrup, Senate File No. 423, a bill for an act to amend the law as it appears in section one thousand seven hundred fifty-eight-a (1758-a) of the supplement to the code, 1907, relating to insurance policy forms, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schrup 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 ayes were:

Allen, Arney, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose —37.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Chase, Dunnegan, Hagemann, Jewell, Mattes, McManus, Neal, Quigley, Savage, Webber, Wilson of Clinton—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Francis moved that the Senate request the return from the House of House File No. 66.

Carried.

On motion of Senator Smith, Senate File No. 36, a bill for an act authorizing the curator of historical collections to collect and disseminate information regarding birds, fish and other wild animal life in Iowa, and appropriating seven thousand five hundred dollars ($7,500.00) annually out of the fish and game protection fund therefor, with report of committee recommending indefinite postponement, was taken up and considered.

On the adoption of the report of the committee, a roll call was demanded.

Those favoring the adoption of the report were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Darrah, DeWolf, Doran, Farr, Francis, Hagemann, Heald, Hilsinger, Jones, Larrabee, Malmberg, Mattes, McColl, Nye, Ream, Savage, Schrup, Sheean, Spaulding, Sullivan, White, Wilson of Appanoose—31.

The nays were:

Dunnegan, Fellows, Gillette, Kimball, Legel, Perkins, Quigley, Robinson, Smith, Taylor—10.

Absent or not voting:

Allen, Crow, Garrett, Jewell, McManus, Neal, Thomas, Webber, Wilson of Clinton—9.

So the bill was indefinitely postponed.

On motion of Senator Quigley, Senate File No. 184, a bill for an act to amend section 2561 as it appears in the supplement to the code, 1907, for the protection of birds, with report of committee recommending indefinite postponement, was taken up and considered.

On the motion to adopt the report of the committee, a roll call was demanded.

Those favoring the motion were:

Clarkson, Cowles, Crist, Francis, Hagemann, Hilsinger, Kimball, Mattes, McColl, Ream, Savage, Sheean, White, Wilson of Appanoose—14.

The nays were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Garrett, Gillette, Heald, Jones, Larrabee, Legel, Malmberg, Nye, Perkins, Quigley, Robinson, Schrup, Smith, Spaulding—27.

Absent or not voting:

Fellows, Jewell, McManus, Neal, Sullivan, Taylor, Thomas, Webber, Wilson of Clinton—9.

So the motion was lost.

The bill was read for information.

Senator Quigley moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Crow, DeWolf, Doran, Dunnegan, Farr, Garrett, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Nye, Quigley, Robinson, Schrup, Smith, Spaulding, Sullivan, Thomas, White—28.

The nays were:

Clarkson, Cowles, Crist, Darrah, Fellows, Francis, Hagemann, Hilsinger, Malmberg, Mattes, McColl, Savage, Sheean, Wilson of Appanoose—14.

Absent or not voting:

Jewell, McManus, Neal, Perkins, Ream, Taylor, Webber, Wilson of Clinton—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Balkema asked that Senate File No. 326 be withdrawn from further consideration by the Senate.

Consent granted.

On motion of Senator Allen, House File No. 247, a bill for an act to declare certain diseases contagious and infectious, and to provide rules and regulations for the control of the same, and to fix punishment for violation thereof, was taken up and considered.

The bill was read for information.

Senator Allen moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—38.

The nays were:

Balluff, White—2.

Absent or not voting:

Cowles, DeWolf, Francis, Heald, Jewell, McManus, Neal, Schrup. Webber, Wilson of Clinton—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

By unanimous consent Senator Allen withdrew from further consideration by the Senate, Senate File No. 271.

On request of Senator Malmberg, leave of absence was granted Senator McManus for the rest of the day.

On motion of Senator Farr, Senate File No. 282, a bill for an act to prohibit trespassing on railway tracks, rights of way, cars and engines, and providing a penalty for the violation thereof, was taken up and considered.

Further consideration of the bill postponed.

On motion of Senator Balluff, Senate File No. 398, a bill for an act amending section nine hundred twenty-two (922) of the supplement to the code, 1907, relating to plats by auditor, providing that no such plats shall be made for real estate situated in cities acting under special charter, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Balluff moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—42.

The nays were:

None.

Absent or not voting:

Cowles, Jewell, McManus, Neal, Smith, Webber, White, Wilson of Clinton—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Robinson, Senate File No. 177, a bill for an act to repeal the law as it appears in sections six hundred forty-

seven (647), six hundred forty-eight (648), and six hundred fifty-one (651) of the supplement to the code, 1907, and to enact substitutes therefor, relative to the election and appointment of certain officers in cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Robinson offered the following amendment and moved its adoption:

That section one (1) of the printed bill be amended by striking from the fourth line thereof the words "city engineer".

That section three (3) of the printed bill be amended by inserting in line four (4) immediately following the word "clerk" a comma (,) and the words "city engineer".

Adopted.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by striking out section 1 thereof, and by striking out the words "and a solicitor" in section 3 of said bill.

Senator Savage moved the previous question.

Motion prevailed.

The amendment by Senator Kimball was adopted.

Senator Robinson 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Darrah, DeWolf, Dunnegan, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Legel, Mattes, Nye, Perkins, Ream, Robinson, Savage, Schrup, Sullivan, Taylor, Thomas—29.

The nays were:

Allen, Doran, Larrabee, Quigley, Smith, Spaulding, Wilson of Appanoose—7.

Absent or not voting:

Crist, Crow, Farr, Fellows, Jewell, Kimball, Malmberg, McColl, McManus, Neal, Sheean, Webber, White, Wilson of Clinton—14.

Senator Robinson moved to amend the title by striking out the words and figures "section 647".

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Journal of March 20th was taken up, corrected and approved.

Senator Francis moved that the Senate do now adjourn until 1 o'clock P. M., today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1 o'clock P. M., President Harding presiding.

PETITIONS AND MEMORIALS.

Senator Francis presented a remonstrance of citizens of Algona, Livermore and Swan City protesting against a permanent tax commission.

Referred to committee on Ways and Means.

On request of Senator Garrett, leave of absence was granted Senator Wilson of Clinton until next Tuesday.

THIRD READING OF BILLS.

On motion of Senator Chase, House File No. 134, a bill for an act to amend the law as it appears in paragraph eight (8) of

section eight hundred and ninety-four (894) of the supplement to the code, 1907, relating to the levy of special taxes by cities, was taken up and considered.

Senator Chase offered the following amendment and moved its adoption:

Amend by striking out line 3 after the word "amended" and all of line 4 in printed bill, and inserting the words: "by adding thereto the following; providing that the cities of 5,000 or less, there may be in any one year a tax not exceeding seven mills on the dollar."

Adopted.

Senator Chase 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 ayes were:

Arney, Balluff, Chase, Cowles, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Kimball, Legel, Malmberg, McColl, Quigley, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose —28.

The nays were:

Jones—1.

Absent or not voting:

Allen, Ames, Balkema, Boe, Clarkson, Crist, Crow, Darrah, Hilsinger, Jewell, Larrabee, Mattes, McManus, Neal, Nye, Perkins, Ream, Smith, Thomas, Webber, Wilson of Clinton—21.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Robinson filed the following motion:

I move to reconsider the vote by which Senate File No. 177 went to its third reading and passage.

T. J. B. ROBINSON.

On motion of Senator Francis, House File No. 3, a bill for an act to amend section seven hundred thirty-two (732) of the supplement to the code, 1907, in relation to library funds and transfer thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Francis 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Jones, Kimball, Legel, Malmberg, Mattes, McColl, Nye, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose—36.

The nays were:

None.

Absent or not voting:

Allen, Chase, Crist, DeWolf, Hilsinger, Jewell, Larrabee, McManus, Neal, Perkins, Sheean, Thomas, Webber, Wilson of Clinton—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Francis, Senate File No. 428, a bill for an act to amend the law as it appears in section 2578-b of the supplement to the code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Francis 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 ayes were:

Ames, Arney, Boe, Clarkson, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose—35.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Balluff, Chase, Cowles, Crist, Garrett, Hilsinger, Jewell, McManus, Neal, Sheean, Thomas, Webber, Wilson of Clinton—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Francis, Senate File No. 431, a bill for an act to repeal the law as it appears in section 4913-a of the supplement to the code, 1907, and to enact a substitute therefor in regard to bringing into certain state institutions and other places where inmates may lawfully be, drugs or liquors, or weapons, explosives or other article for use in making or attempting an escape, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Francis 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 ayes were:

Arney, Boe, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose—37.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balkema, Balluff, Crist, Jewell, Mattes, McManus, Neal, Savage, Sheean, Webber, Wilson of Clinton—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Cowles, Senate File No. 16, a bill for an act to repeal section 3366 of the code and to enact a substitute therefor relating to the share of surviving spouse, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Cowles moved that the substitute for the original bill be adopted.

Adopted.

Senator Cowles moved the adoption of the following amendment:

That the substitute be amended by striking out the words and figures, "five thousand dollars ($5,000.00)" and substituting in lieu thereof the words and figures, "seven thousand five hundred ($7,500.00) dollars".

Adopted.

Senator Cowles 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 ayes were:

Allen, Arney, Balluff, Boe, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose—38.

The nays were:

Larrabee—1.

Absent or not voting:

Ames, Balkema, Chase, Crist, Jewell, McColl, McManus, Neal, Nye, Webber, Wilson of Clinton—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Jones, Senate File No. 254, a bill for an act to repeal section 691 of the code, relating to the jurisdiction in actions for the violation of city ordinances and to enact a substitute therefor, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved that the substitute for the original bill be adopted.

Adopted.

Senator Jones 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 ayes were:

Allen, Arney, Balluff, Boe, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, McColl, Nye, Perkins, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose—35.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Chase, Crist, DeWolf, Gillette, Jewell, Malmberg, Mattes, McManus, Neal, Quigley, Smith, Webber, Wilson of Clinton—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Francis, Senate File No. 294, a bill for an act to repeal section 3308 of the code of 1907, and enact a substitute therefor, relating to release and discharge of liens by foreign administrators, executors and guardians, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Francis 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 ayes were:

Allen, Arney, Balluff, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—39.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Boe, Crist, Hagemann, Jewell, Mattes, McManus, Neal, Smith, Wilson of Clinton—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Nye, House File No. 236, a bill for an act legalizing the adoption, signing, recording and publication of the ordinances of the city of Bedford, Iowa, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Nye moved the adoption of the following amendment:

"Sec. 3. Nothing herein contained shall be construed to affect pending litigation;".

Adopted.

Senator Nye 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 ayes were:

Allen, Arney, Balluff, Chase, Clarkson, Crow, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—36.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Boe, Cowles, Crist, Darrah, DeWolf, Hagemann, Jewell, Mattes, McManus, Neal, Smith, Wilson of Clinton—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Darrah, House File No. 337, a bill for an act authorizing the issue of a patent to the northeast quarter (ne¼) of the southeast quarter (se¼) of section 23, township 67, range 23, west of the 5th P. M., with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Darrah 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 ayes were:

Allen, Arney, Balluff, Chase, Clarkson, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—38.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Boe, Cowles, Crist, Hagemann, Jewell, Mattes, McManus, Neal, Smith, Wilson of Clinton—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Darrah, House File No. 336, a bill for an act authorizing the issue of a patent to the southeast quarter (se¼) of the southeast quarter (se¼) of section 23, township 67, range 23, west of the 5th P. M., with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Darrah 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—40.

The nays were:

None.

Absent or not voting:

Ames, Crist, Farr, Hagemann, Heald, Jewell, McManus, Neal, Smith, Wilson of Clinton—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator DeWolf, Senate File No. 237, a bill for an act relating to fire insurance and prohibiting discrimination therein and rebate of the premium charged and providing a penalty therefor, was taken up and considered.

Senator Chase offered the following amendment and moved its adoption:

I move to amend by adding the following to the bill:

Sec. 6. Any insurance company qualifying under the provisions of this act which by itself or any of its officers or agents combined and agrees to fix any rate or rates in such schedule with any other company or with any of its officers or agents, or grants any rebate or drawback whatsoever shall forfeit its right to do business in this state, and the filing of the same rate shall be prima facie evidence of such combination. And any officer, director or agent of any such insurance company found guilty of a violation of the provisions of this act shall be guilty of a misdemeanor punishable by a fine not exceeding five hundred dollars ($500.00) or imprisonment in the county jail for six (6) months or both. It is also especially provided that any person or persons furnishing evidence for the state on a subpoena from the state, shall have immunity from prosecution.

All acts and parts of acts inconsistent herewith are hereby repealed.

Sec. 7. The schedule of rates, filed under this act, must be reasonable and must be approved as such by the auditor of the state before becoming effective.

Senator Chase moved that further consideration of the bill be postponed until 10 o'clock Monday, and made a special order for that time.

Carried.

Senator Thomas moved that 1,000 additional copies of Journal of March 20th be printed.

Carried.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled bills respectfully report that they have examined and find correctly enrolled Senate File No. 210, a bill for an act to amend the law as it appears in sections ten hundred fifty-six-a-twenty-five and ten hundred fifty-six-a-twenty-six (1056-a-25 and 1056-a-26) of the Supplement to the Code, 1907, as amended, and to provide for the appointment and powers of library trustees in certain cities.

Also:

Senate File No. 52, a bill for an act requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for failure to comply therewith.

Also:

Senate File No. 43, a bill for an act appropriating the sum of twenty-seven hundred ($2700.00) dollars, to indemnify Allan W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa.

JOHN H. TAYLOR,
Chairman.

Adopted.

Senator Sullivan 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, MARCH 22, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. A. B. Leamer, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Wilson of Appanoose presented a remonstrance of citizens of Centerville and Moulton protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a remonstrance of citizens of Story county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Spaulding presented a remonstrance of citizens of Grinnell protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Gillette presented a remonstrance of citizens of Marcus protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Neal presented a remonstrance of Corn Belt Meat Producers' Association opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Jewell presented a remonstrance of citizens of Howard and Winneshiek counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Francis presented a remonstrance of citizens of Kossuth county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Francis presented a remonstrance of citizens of Kossuth county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Ames presented a remonstrance of citizens of Tama county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Nye presented a remonstrance of citizens of Taylor county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a remonstrance of citizens of Lucas county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Boe presented a remonstrance of citizens of Winnebago county opposing a permanent tax commission.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By committee on Agriculture, Senate File No. 476, a bill for an act to amend the law as it appears in an act approved March 15th, 1913, entitled "an act to amend sections two (2), three (3), five (5) and seven (7) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly, and adding new sections to the same relating to stallions and jacks."

Read first and second time and placed on calendar.

Senator Doran introduced the following concurrent resolution:

SENATE CONCURRENT RESOLUTION.

WHEREAS: For many years it has been the custom of the railroads operating in and across the state of Iowa, in conjunction with railroads east and west, to tender to the public each year what are known as homeseeker rates to influence travel from Iowa and from points east of Iowa and across this state to the west for the purpose of exploiting Canadian lands, Mexican ranchos, dry farming lands in the semi-arid and

desert districts, high priced irrigation projects lands, etc., and to induce persons from Iowa and the territory east of Iowa to purchase these lands and become settlers; and,

WHEREAS: The railroads have refused to name Iowa points as destinations for these rates, or to apply them to Iowa points despite the fact there are hundreds of opportunities in every county in Iowa for homeseekers to establish themselves upon lands that do not have to be irrigated, where water tolls are not exacted, where it is not necessary to resort to dry farming, where markets are close at hand, where the school system and the public conveniences are developed and where the climate and the soil insure a crop every year; therefore,

Be it resolved by the Senate, the House concurring, That the state of Iowa in view of the fact homeseeker rates are made and thousands of dollars expended for advertising them to points north and south and west of Iowa, and that these rates are made to apply across Iowa and from Iowa points but not to points within the state, and that colonist rates are made in the same way, regard these rates as not only a discrimination against the state and its interests, but as destructive to its best interest and request and demand of the railroads operating in Iowa that in the future they refuse all tenders of homeseeker and colonist rates from connecting lines and decline to issue tariffs giving these rates except that Iowa destinations are included and the same rates and the same stop-over privileges given to Iowa territory as are accorded to any other territory to which the rates apply.

Laid over under the rules.

HOUSE MESSAGE CONSIDERED.

House File No. 87, a bill for an act to amend section forty-six hundred three (4603) of the code by providing for the cross examination of the adverse party, to the record of any civil action or proceeding, or a person for whose benefit action or proceeding is prosecuted or defended, or the directors, officers, superintendent, or managing agents of any corporation which is a party to the record, and providing that the party calling such witness shall not be bound by his testimony and that the testimony of such witness may be rebutted by the party calling such witness by other evidence; all relating to evidence in civil actions and proceedings.

Passed on file.

REPORTS OF COMMITTEE.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 70, a bill for an act to establish a department of public instruction, and to amend section ten hundred and sixty-five (1065) of the Supplement to the Code, 1907, and to repeal chapter one (1) of title thirteen (13) of the Code, and to repeal chapter one (1) of title thirteen (13) of the Supplement to the Code, 1907, as amended, relative to the office of superintendent of public instruction, and to enact a substitute therefor, and to make the superintendent of public instruction, ex-officio, a member of the state board of education, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend the title by striking out the "," (comma) and all after the word "therefor" in line seven and insert a "." (period) after the word "therefor".

Amend section 3 by inserting after the "," (comma) in line five the words "or board of control of state institutions".

Amend sub-division 3 of section 3 by inserting after the word "of" in second line the words "education, including", and strike out the word "including" in the third line.

Amend sub-division 9 of section 3 by striking out the words "but not oftener than once every four years", in the first and second lines.

Amend section 3 by striking out all of sub-division 10 and by renumbering sub-divisions 11 and 12 as 10 and 11, respectively.

Amend section 7 by inserting after the word "shall" in the first line the words "have qualifications specified in section 2 and shall"; and strike out the words "his duties" in line three of said section 7 and insert in lieu thereof the words "the duties of the office". Also strike out the word "five" in the sixth line and insert in lieu thereof the word "three". Also strike out all of section 7 following the word "five" in the sixth line.

Amend section 8 by striking out all that follows the word "allowed" in the seventeenth line.

Amend section 9 by inserting the word "and" before the words "attorney general" in line three and insert the word "and" before the word "Superintendent" in line five.

Amend by striking out section 10; and when so amended the bill do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House File No. 132, a bill for an act to provide state aid to consolidated schools equipped with two or more rooms and which include in their course of study, industrial and vocational subjects, and making an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the words and figures "fifty (50)" in the third line of section six and inserting in lieu thereof the words and figures "thirty (30)" and also by striking out the words and figures "one hundred (100)" in the fifth line of section six and inserting in lieu thereof the words and figures "fifty (50)"; and when so amended the bill do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the board of railroad commissioners to "Public Utilities Commission"; enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71), of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the board of railroad commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities, beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Senator Crist moved that Senate File No. 306 be made a special order for Tuesday, March 25th, at 10:30 A. M

Carried

On request of Senator McColl, leave of absence was granted Senator Thomas for the day.

On requqest of Senator Nye, leave of absence was granted Senator White for the day.

On request of Senator Boe, leave of absence was granted Senator DeWolf for the day.

On request of Senator Malmberg, leave of absence was granted Senator McManus for the day.

THIRD READING OF BILLS.

On motion of Senator Dunnegan, House File No. 166, a bill for an act to provide (additional to chapter 6, title VI, of the code relating to qualifications for office), with report of committee recommending indefinite postponement, was taken up and considered.

Senator Dunnegan moved that report of commitee be adopted.

The motion was lost.

Further consideration postponed.

On motion of Senator Sullivan, Senate File No. 380, a bill for an act to repeal the law as it appears in section two hundred fifty-four-a-eighteen (254-a-18), of the supplement to the code, 1907, as amended by chapter ten (10), acts of the Thirty-fourth General Assembly and to enact a substitute therefor, relating to the appointment, duties and compensation of probation officers, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan moved the adoption of the following amendments:

By striking out of section one (1), line nineteen (19), the words and figures "one hundred ($100.00)" and substituting therefor the words and figures "seventy-five ($75.00)".

Adopted.

Senator Sullivan 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 ayes were:

Allen, Arney, Balkema, Balluff, Chase, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Spaulding, Sullivan, Taylor, Wilson of Appanoose—32.

The nays were:

None.

Absent or not voting:

Ames, Boe, Clarkson, Cowles, Crow, DeWolf, Hagemann, Hilsinger, Jewell, McManus, Neal, Savage, Schrup, Smith, Thomas, Webber, White, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Garrett, Senate File No. 384, a bill for an act to amend the law as it appears in section four hundred ninety (490) of the supplement to the code, 1907, and four hundred ninety-one (491) of the code, 1897, relating to the compensation of county treasurers and their deputies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Arney was called to the chair at 9:30.

Senator Garrett 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Crist, Darrah, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Sheean, Spaulding, Sullivan, Wilson of Appanoose—31.

The nays were:

Doran—1.

Absent or not voting:

Allen, Clarkson, Cowles, Crow, DeWolf, Hagemann, Jewell, McManus, Neal, Ream, Savage, Schrup, Smith, Taylor, Thomas, Webber, White, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Legel, Senate File No. 183, a bill for an act to amend the law as it appears in section twenty-seven hundred seventy-eight (2778), supplement to the code, 1907, and to provide for the employment of school superintendents for a term of years. was taken up and considered.

President resumed the chair at 9:45

Senator Legel moved that the vote by which the bill failed to pass the Senate be reconsidered.

Carried.

Senator Legel moved that the vote by which the bill passed to its third reading be reconsidered.

Carried.

Senator Legel offered the following amendment and moved its adoption:

Move to strike out lines four (4) and five (5) of the printed bill of Senate File No. 183 and substitute therefor the following:

No superintendent shall be employed by any board of directors of an independent city, town, village, or consolidated school corporation for a period in excess of one school year, except within the first sixty (60) days following the reorganization of any such board, as provided in section 2757, supplement to the code, 1907, but during said sixty (60) day period superintendents may be employed for a term not exceeding three (3) school years.

Adopted.

Senator Legel 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 ayes were:

Balluff, Boe, Clarkson, Darrah, Dunnegan, Farr, Garrett, Heald, Hilsinger, Kimball, Legel, Malmberg, McColl, Neal, Nye, Ream, Sheean, Smith, Sullivan, Taylor, Wilson of Appanoose—21.

The nays were:

Allen, Ames, Chase, Crow, Doran, Fellows, Francis, Jones, Larrabee, Mattes, Perkins, Robinson, Spaulding—13.

Absent or not voting:

Arney, Balkema, Cowles, Crist, DeWolf, Gillette, Hagemann, Jewell, McManus, Quigley, Savage, Schrup, Thomas, Webber, White, Wilson of Clinton—16.

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. 143, a bill for an act to repeal the law as it appears in section 2564 of the Supplement to the Code and to enact a substitute therefor relative to the state board of health.

A. C. GUSTAFSON,
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. 5, joint resolution proposing to amend the constitution relating to legislative authority; providing for the initiative

and referendum with reference to the enactment of laws, or laws enacted by the General Assembly, and amendments to the constitution.

A. C. GUSTAFSON,
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:

House File No. 66, a bill for an act to amend the law as it appears in section 1989-a-19, 1989-a-26, 1989-a-27 and 1989-a-38, Supplement to the Code, 1907, relating to assessments for benefits to roads, streets and highways in levee or drainage districts.

A. C. GUSTAFSON,
Chief Clerk.

Senator Kimball filed the following motion:

MR. PRESIDENT—I move to reconsider the vote by which Senate File No. 184 was passed to its third reading; also to reconsider the vote by which the bill passed the Senate.

CLEM. F. KIMBALL.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 391, a bill for an act to legalize the proceedings of the city council of the city of Tipton, Iowa, for the construction of a sewer system.

Also:

Senate File No. 221, a bill for an act legalizing the ordinances, resolutions and acts of the council of the incorporated town of Pacific Junction in Mills county, Iowa, so far as affected by the election of six members of said council instead of five.

Also:

Senate File No. 387, a bill for an act to legalize the proceedings of the city council of the city of Des Moines, Iowa, for the construction of the seventh ward sewer system in said city.

Also:

Senate File No. 266, a bill for an act to amend the law as it appears in section seven hundred forty-one-o (741-o), Supplement to the Code, 1907, relating to the election of city hospital trustees.

Also:

Senate File No. 180, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-a-sixty-four (2727-a-64) of the Supplement to the Code, 1907, relating to removal of patients from county asylum and providing for the expense thereof.

Also:

Senate File No. 124, a bill for an act to amend section three thousand eight hundred two (3802) of the Code, relative to the lien of judgments.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled Senate File No. 266, a bill for an act to amend the law as it appears in section seven hundred forty-one-o (741-o), Supplement to the Code, 1907, relating to the election of city hospital trustees.

Also:

Senate File No. 180, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-a-sixty-four (2727-a-64) of the Supplement to the Code, 1907, relating to removal of patients from county asylum and providing for the expense thereof.

Also:

Senate File No. 124, a bill for an act to amend section three thousand eight hundred two (3802) of the Code, relative to the lien of judgments.

Also:

Senate File No. 391, a bill for an act to legalize the proceedings of the city council of the city of Tipton, Iowa, for the construction of a sewer system.

Also:

Senate File No. 221, a bill for an act legalizing the ordinances, resolutions and acts of the council of the incorporated town of Pacific Junction ni Mills county, Iowa, so far as affected by the election of six members of said council instead of five.

Also:

Senate File No. 387, a bill for an act to legalize the proceedings of the city council of the city of Des Moines, Iowa, for the construction of the seventh ward sewer system in said city.

Also:

Senate File No. 210, a bill for an act to amend the law as it appears in sections ten hundred fifty-six-a-twenty-five and ten hundred fifty-six-a-twenty-six (1056-a-25 and 1056-a-26) of the Supplement to the Code, 1907, as amended, and to provide for the appointment and powers of library trustees in certain cities.

Also:

Senate File No. 52, a bill for an act requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for failure to comply therewith.

Also:

Senate File No. 43, a bill for an act appropriating the sum of twenty-seven hundred ($2,700.00) dollars, to indemnify Allan W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

THIRD READING OF BILLS.

On motion of Senator Taylor, Senate File No. 382, a bill for an act to regulate the compounding, manufacture and sale of certain habit forming and other drugs or medicines and preparations containing same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball offered the following amendments and moved its adoption:

I move to amend the bill by adding at the end of section 2 the following: "or who sell or dispense said drug or medicine in their business or practice."

Adopted.

Senator Clarkson offered the following amendment and moved its adoption:

I move to amend the bill by adding thereto the words "and effects and habit forming drugs" following the word "character" in line 6 of the printed bill.

Adopted.

Senator Taylor 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crow, Darrah, Dunnegan, Fellows, Francis, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Neal, Perkins, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Wilson of Appanoose—31.

The nays were:

Doran, Quigley, Ream—3.

Absent or not voting:

Balluff, Crist, DeWolf, Farr, Garrett, Hagemann, Jewell, Mattes, McManus, Nye, Savage, Schrup, Thomas, Webber, White, Wilson of Clinton—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 210, 387, 124, 221, 43, 266, 180, 391 and 52.

THIRD READING OF BILLS.

On motion of Senator Chase, Senate File No. 418, a bill for an act to require the equipment and maintenance of sanitary closets at railway stations in this state, providing for the regulation and

inspection thereof and fixing a penalty for violation of this act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Chase offered the following amendment and mvoed its adoption:

Amend section 1 of the bill by inserting the following words, immediately after the word "sewerage" as it appears in the third line of the printed bill, "so located that the same can be reasonably used by the railroad property."

Adopted.

Senator Chase offered the following amendment and moved its adoption:

Amend section 2 by inserting after the word "filed" as it appears in second line of printed bill, the following words: "by an employee or patron of the railway company."

Adopted.

Senator Chase 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Wilson of Appanoose —37.

The nays were:

None.

Absent or not voting:

Cowles, DeWolf, Hagemann, Jewell, McManus, Neal, Ream, Savage, Schrup. Thomas, Webber, White, Wilson of Clinton—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On request of Senator Boe, leave of absence was granted Senator Hagemann for the day.

On request of Senator Boe, leave of absence was granted Senator Neal for the day.

On request of Senator Legel, leave of absence was granted Senator Schrup for the day.

THIRD READING OF BILLS.

On motion of Senator Jones, Senate File No. 139, a bill for an act to amend the law as it appears in section fifty-seven hundred seven (5707) of the supplement to the code of 1907 relating to the breaking of stone, was taken up and considered.

Senator Jones moved that the Senate concur in the following House amendment:

Amend Senate File No. 139 by striking out section 2.

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Francis, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Sheean, Smith, Spaulding, Sullivan, Wilson of Appanoose—35.

The nays were:

None.

Absent or not voting:

DeWolf, Fellows, Garrett, Hagemann, Jewell, McManus, Neal, Ream, Savage, Schrup, Taylor, Thomas, Webber, White, Wilson of Clinton—15.

So the amendment having received a constitutional majority were declared concurred in.

On motion of Senator Jones, Senate File No. 280, a bill for an act to provide for the employment of prisoners upon the highways of this state, or in the construction and improvement of any public works, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved the adoption of the following amendments:

By inserting after the word "but" in the fifth (5th) line of section one (1) and before the word "no" the words "such labor shall not be leased to contractors and".

Adopted.

Senator McColl was called to the chair at 11:15.

President Harding resumed the chair at 11:20.

Senator Jones 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Sheean, Smith, Spaulding, Sullivan, Wilson of Appanoose—34.

The nays were:

None.

Absent or not voting:

Balluff, Cowles, Crow, DeWolf, Hagemann, Jewell, McManus, Neal, Ream, Savage, Schrup, Taylor, Thomas, Weber, White, Wilson of Clinton—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Heald, Senate File No. 156, a bill for an act repealing section 1326 of the code of 1897 and enacting a substitute in lieu thereof relating to the assessments of stock of building and loan associations, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Heald moved the adoption of the following amendment:

By striking out the word "of" before the figures "1897", in the title of the bill.

Adopted.

Senator Heald moved that the bill be amended by inserting the word "address" after the word "postoffice" and before the word "of" in the second line of page two of the original bill.

Adopted.

Senator Heald 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Sheean, Sullivan, Wilson of Appanoose—30.

The nays were:

None.

Absent or not voting:

Chase, Clarkson, Cowles, Crist, DeWolf, Hagemann, Jewell, Malmberg, McManus, Neal, Ream, Savage, Schrup, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Clinton—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Hilsinger, Senate File No. 466, a bill for an act to authorize the board of supervisors of each county in this state to make provision for the segregation, care and support of indigent persons afflicted with pulmonary tuberculosis in advanced stages, was taken up and considered, and the report of the committee adopted.

The bill was read for information.

Senator Hilsinger moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Perkins, Quigley, Robinson, Sheean, Smith, Sullivan, Wilson of Appanoose—34.

The nays were:

None.

Absent or not voting:

Cowles, DeWolf, Hagemann, Jewell, McManus, Neal, Nye, Ream, Savage, Schrup, Spaulding, Taylor, Thomas, Webber, White, Wilson of Clinton—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Francis filed the following motion:

I move to reconsider the vote by which Senate File No. 466 passed the Senate and passed to its third reading.

L. E. FRANCIS.

On motion of Senator Arney, Senate File No. 378, a bill for an act to amend section twenty-one hundred thirteen (2113) of the supplement to the code, 1907, as amended by chapter one hundred twenty-seven (127) of the acts of the Thirty-third General Assembly, relating to the powers of the board of railroad commissioners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Arney 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 ayes were:

Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, McColl, Perkins, Quigley, Robinson, Sheean, Smith, Sullivan, Wilson of Appanoose—29.

The nays were:

None.

Absent or not voting:

Allen, Ames, Cowles, Crow, DeWolf, Hagemann, Jewell, Malmberg, Mattes, McManus, Neal, Nye, Ream, Savage, Schrup, Spaulding, Taylor, Thomas, Webber, White, Wilson of Clinton—21.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORTS OF COMMITTEES.

Senator Francis, 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 repeal section 212 of the Supplement to the Code, 1907, relating to the appointment of an assistant attorney general and to his salary, and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Senator Mattes moved that the bill be referred to committee on Appropriations.

Carried.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 358, a bill for an act legalizing a resolution passed by the city council of the city of Atlantic, Iowa, February 27, 1913, transferring the sum of $1800.00 from the sewer fund of said city to the general fund of said city, and legalizing such transfer, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By adding to section 2 the following: "This act not to affect pending litigation"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 346, a bill for an act relating to divorces and providing for the prevention of the publication of allegations in petitions and other pleadings relating to divorce actions for the destruction of papers and files where actions for divorce are dismissed or withdrawn by an agreement of the parties before the trial, and to amend section 3656 of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 488, a bill for an act to repeal section 475 of the Code and to enact a substitute therefor, relating to the criminal statistics to be kept by the county auditor and the reporting of same by the county auditor to the clerk of the district court, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 445, a bill for an act to amend section 1989-a-8 of the Supplement to the Code, 1907, and all acts amendatory thereto, and section 3 of chapter 118, acts of the Thirty-third General Assembly, relative

to the publication of notice of establishment of levee or drainage districts and notice of letting of same, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 312, a bill for an act relating to sentence and commitment of persons convicted of felony and to repeal all acts in conflict therewith, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 385, a bill for an act making provision for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines River Improvement Grant as school lands, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Appropriations.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was referred to the committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 408, a bill for an act to legalize certain conveyances and other instruments of writing affecting real estate, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 338, a bill for an act to repeal the law as it appears in section 1989-a-6 of the Supplement to the Code, 1907, and to enact the following in lieu thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 318, a bill for an act to amend the law as it appears in section 269 of the Code, and repealing section 270 of the Code and enacting a substitute therefor, relating to juries in superior courts, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 440, a bill for an act to amend the law as it appears in section 441 of the Code, relating to the publication of proceedings of the board of supervisors in newspapers published in the county, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 303, a bill for an act to discharge a bankrupt from judgments and providing for giving notice thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 443, a bill for an act to amend the law as it appears in section 1989-a-21 of the Supplement to the Code, 1907, relating to the repair of levees, drains, ditches and water courses, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 448, a bill for an act for the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick for a certain tract of land, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By adding at the close of section one the words "this act shall not affect pending litigation"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 307, a bill for an act to amend the law as it appears in section 116-a of the Supplement to the Code, 1907, and to repeal the law as it appears in section 116-b of the Supplement to the Code, 1907, providing that all the unused portions of all appropriations shall revert to the general fund at the end of the fiscal year, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 307.

A BILL FOR AN ACT to Amend Section One Hundred Sixteen-a (116-a), Supplement to the Code, 1907, and to Repeal Section One Hundred Sixteen-b (116-b), Supplement, to the Code, 1907, Providing That All the Unused Portions of All Appropriations Shall Revert to the General Fund at the End of the Fiscal Year.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That section one hundred sixteen-a (116-a), Supplement to the Code, 1907, be amended by adding thereto the following: "Any part of any annual appropriation remaining unused at the end of the fiscal year for which such appropriation was made shall revert at said time to the fund from which such appropriation was made; and any part of any appropriation other than annual, at the end of each fiscal year during which a regular session of the General Assembly is held, shall revert to the fund from which such appropriation was made. Provided, that nothing herein contained shall be construed to apply to any appropriation made for any officer, employe, or institution under the board of control of state institutions, nor to any appropriation at the disposal or subject to the control of said board."

Sec. 2. That section one hundred sixteen-b (116-b), Supplement to the Code, 1907, is hereby repealed.

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 at Des Moines, Iowa.

And that the substitute be amended by striking out the period at the close of section 1, substituting therefor a comma, and adding "nor to funds granted for a particular purpose, which purpose is not yet accomplished."

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 315, a bill for an act to amend section 1989-a-34, Supplement to the Code, 1907, requiring contractors to furnish proof of payment for material and labor on public drainage improvements before receiving final payment, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 315.

A BILL FOR AN ACT Providing for the Securing of Claims of Sub-contractors Who Furnish Labor or Material for Construction of Drainage Ditches in Addition to Chapter Two-a (2-a), Title Ten (10), Supplement to the Code, 1907.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Every mechanic, laborer, or other person who as sub-contractor, shall perform labor upon or furnish materials for the construction of any drainage ditch provided for in this chapter, shall have a claim against the funds provided for the payment of said ditch and improvements for the value of such services and material not in excess of the amount of the contract price for which no warrants shall have been issued at the time of the filing of said claim. Such claim shall be made by filing with the county auditor an itemized sworn statement of the demand at any time after the performance of the labor or furnishing of the material, but within thirty (30) days from and after the completion of the contract, and such claims shall have priority in the order in which they are filed, provided that the county auditor shall not issue warrants in excess of eighty (80) per cent of the contract price until thirty (30) days after the completion of the contract. Provided further, that neither the county auditor, nor the county, nor the drainage district shall be liable for any greater sum than the contract price, nor shall they or either of them be liable for the payment of the same before the time provided for in the principal contract.

Sec. 2. Any party in interest may cause an adjudication of the amount, priority and mode and time of payment of such claims by an equitable action in the district court in the proper county. In such action the court may assess a reasonable attorney's fee against the party failing, in favor of said drainage district or county.

Sec. 3. The contractor may at any time release such claim by filing with the county auditor of the county in which the drainage ditch is located, a bond for the benefit of such claimant in sufficient penalty and with sureties to be approved by said county auditor, conditioned for the payment of any sum which may be found due such claimant. Such contractor may prevent the filing of such claims by filing in a like manner a bond conditioned for the payment of persons who may be entitled to file such claims. And actions may be brought on any such bond by any claimant within one year after his cause of action accrues, and judgment shall be rendered on said bond for the amount due such claimant; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 199, a bill for an act relating to claims of the third class against estates, providing for their examination and allowance and the service of notice of dis-allowance and the bringing of said claim on for trial, additional to section three thousand three hundred forty-nine (3349), chapter three (3), title seventeen (17) of the Code, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 199.

A BILL FOR AN ACT Relating to Claims of the Third Class Against Estates, Providing for Their Examination and Allowance and the Service of Notice of Dis-allowance and the Bringing of Said Claims on for Trial, Additional to Section Three Thousand Three Hundred Forty-nine (3349), Chapter Three (3), Title Seventeen (17) of the Code.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That there be added to section three thousand three hundred forty-nine (3349) of the Code, the following:

"And in claims of the third of the above classes the administrator or executor shall examine the same within thirty days after the expiration of the time within which they may be filed and on claims not allowed he may serve such notice as the court may prescribe upon the party filing same that the claim has not been allowed, and file a copy of said notice with proof of service thereof with the clerk, and the clerk shall thereupon note said claim for trial at the first term of court beginning not less than ten days after filing the said notice and the same shall be set for trial at said term and tried, unless continued by order of the court."; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 426, a bill for an act to repeal section 313 of the Code and to enact a substitute therefor, relating to the admission to the practice of law in this state of attorneys having been duly admitted to practice in other states, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By adding after the word "person" in the first line of section 1 the following words: "a resident of this state"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 467, a bill for an act to prohibit the removal or destruction of articles or things placed in public highways for the purpose of guarding or inclosing unsafe places therein and providing penalties for a violation thereof, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

That Senate File No. 467 be amended by inserting the word "willful" between the words "thereof" and "remove" in the second line of section 1, and by substituting a period after the comma after the word "year" in the ninth line of section 1, and striking out all of said section following the period; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 372, a bill for an act to amend section 5006 of the Code, relating to the sale of cigarettes, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 525, a bill for an act to authorize and direct the board of supervisors of Johnson county, Iowa, to issue a quit claim deed to John Vesely conveying certain real estate located in Johnson county, Iowa, more

particularly described as lot 6, block 9, of county seat of Johnson county, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 373, a bill for an act to amend section 4890 of the Code, relating to compounding lesser felonies and misdemeanors, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 159, a bill for an act to amend section 3756 of the Code, relating to the hearing of motions for a new trial and the decisions thereon, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 385, a bill for an act to legalize an ordinance of the incorporated town of Sheldahl, Iowa, granting a franchise to Boone Electric Company, to erect, maintain, and operate an electric power plant in said town, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By adding the following at the close of section one: "This act shall not affect pending litigation"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 575, a bill for an act to provide for the restoration of lost or destroyed public records, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 115, a bill for an act to amend section 740 of the Supplement to the Code, 1907, as amended by chapter 47 of the acts of the Thirty-third General Assembly, relating to powers of counties, cities, towns, civil townships, wholly outside any city or incorporated town and school corporation to take property by gift or bequest, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 309, a bill for an act to amend section 3656 of the Code, relative to trial terms in equitable actions in the district court, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 189, a bill for an act creating the office of state examiners for counties, fixing their compensation, duties, terms of office and method of appointment, providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, re-

ports and audits for counties, and providing penalties for violations of this act, beg leave to report they have had the same under consideration and recommend the same for passage and for reference to committee on Appropriations.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Senator Hilsinger, from the committee on Board of Control and its Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 259, a bill for an act to repeal section twenty-three hundred eight-a (2308-a) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the payment of costs and expenses of non-resident insane patients, beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 383, a bill for an act to amend the law as it appears in chapter eleven-c (11-c) of title thirteen (XIII) of the Supplement to the Code, 1907, relating to the state sanatorium for the treatment of tuberculosis, to provide for the care of advanced cases in said sanatorium and making an appropriation therefor, and to repeal the law as it appears in section twenty-seven hundred twenty-seven-a-86 (2727-a-86) of the Supplement to the Code, 1907, and enact a substitute therefor requiring counties to pay for the care of patients in the sanatorium and making such patients and persons legally bound for their support liable to counties for money so paid, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Appropriations without recommendation.

G. E. HILSINGER,
Chairman.

Senator Hilsinger moved the adoption of the report of the committee.

Adopted.

So the bill was referred to the committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 162, a bill for an act providing for the paroling of patients in the state hospital for inebriates and certain female patients from state hospitals for the insane, and for the return of patients who violate their paroles, and repealing the law as it appears in section twenty-three hundred ten-a-nineteen (2310-a-19) of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and recommend the same do pass, after being referred to the committee on Appropriations.

G. E. HILSINGER,
Chairman.

Senator Hilsinger moved the adoption of the report of the committee.

Adopted.

So the bill was referred to the committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred House File No. 416, a bill for an act to prohibit the extension or renewal of contracts now existing between the board of control and certain firms, associations or corporations, for the services of prisoners confined at Anamosa and Fort Madison, to prohibit any further or additional contracts for the services of said prisoners; to provide the kind and character of employment for said prisoners, and the disposition and sale of articles manufactured at any penal institution of this state, beg leave to report they have had the same under consideration and recommend the adoption of the following substitute:

G. E. HILSINGER,
Chairman.

SUBSTITUTE FOR HOUSE FILE NO. 416.

A BILL for an Act Prohibiting Employment of Prisoners Held in the Penitentiary at Fort Madison and in the Reformatory at Anamosa, Upon Contract Labor after Other Suitable Employment may be Furnished Such Prisoners, and Providing for Such Other Suitable Employment.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. So soon as proper employment of the prisoners held in the penitentiary at Fort Madison and the reformatory at Anamosa may be otherwise furnished, the board of control is hereby prohibited from using said prisoners upon contract labor of any kind or nature whatever, excepting to complete existing contracts, and until better opportunity for the employment of said prisoners is otherwise provided, said board of control shall, so far as possible, use said prisoners in the performance of any labor required on behalf of the state.

Substitute read first and second times.

Ordered passed on file.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By committee on Appropriations, Senate File No. 477.

A BILL FOR AN ACT to Appropriate Money for the Purpose of Defraying the Expenses Incurred in the Election Contests in the Nineteenth (19) Senatorial District of Iowa and in the Forty-sixth (46) Senatorial District of Iowa, and to Pay Sundry Persons for Services, Mileage and Other Expenses Incurred in Connection with Said Election Contests.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That there is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of one thousand eighty-five and eighty-one one-hundredths dollars ($1085.81) in full of all attorney's fees, costs, witness fees, mileage and other expenses incurred in the Coburn vs. Gillette election contest from the forty-sixth (46) senatorial district of Iowa and the Kimball vs. Goodwin election contest from the nineteenth (19) senatorial district of Iowa, and that the said sum of money be paid to the persons named in the respective sums as set out in sections two and three of this act.

Sec. 2. That out of the sum of money appropriated under section one (1) of this act there shall be paid the sum of four hundred eighty-two and eighty-four one-hundredths dollars ($482.84) in full of all attorneys' fees, costs, witness fees, mileage and other expenses incurred in the election contest from the forty-sixth (46) senatorial district of Iowa, wherein George F. Coburn was contestant and Hon Guy M. Gillette incumbent, and that the said sum of four hundred eighty-two and eighty-four one-hundredths dollars ($482.84) be paid to the following named persons and in the respective sums, to-wit:

To George F. Coburn.....		$272.94
(To cover the following items:)		
To H. W. Byers, for attorney fee.....		$100.00
To George M. Smith, to pay the following expenses, to-wit: three days' witness fees, 524 miles .....$	29.95	
Boxing and drayage, ballots.....	4.00	
Express, ballots, to and from LeMars.....	11.60	
		45.55
To Mazie A. Wilson, three days' witness fees, 324 miles		19.95
To John B. Heymer, three days' witness fees, 324 miles		19.95
To W. O. Dailey, to pay the following expenses, to-wit:		
Three days' witness fees, 324 miles.....$	19.95	
Express on ballots	9.44	
Boxing ballots, drayage and labor.....	5.50	
Telephone message, Cherokee to Des Moines	.70	
		35.59
To Walter McCulla, 3 days' witness fees, 324 miles		19.95

To Richard Varner, to pay the following expenses, to-wit:

Five days' witness fees, 318 miles	22.15	
Express, drayage and boxing ballots	9.80	
		31.95

To Guy M. Gillette 209.90

(To cover the following items:)

To John C. De Mar, for attorney fee	100.00
To D. M. McNeal, two days' witness fees, 324 miles	18.70
To J. Archie Smith, three days' witness fees, 400 miles	23.75
To M. C. Simons, three days' witness fees, 400 miles	23.75
To A. I. Birch, three days' witness fees, 400 miles	23.95
To C. M. Smith, three days' witness fees, 324 miles	19.75

SEC. 3. That out of the sum of money appropriated under section one (1) of this act there shall be paid the sum of six hundred two and ninety-seven one-hundredths dollars ($602.97) in full of all attorneys' fees, costs, witness fees, mileage and other expenses incurred in the election contest from the nineteenth (19) senatorial district of Iowa, wherein Hon. Clement F. Kimball was contestant and Mack C. Goodwin incumbent, and that the said sum of six hundred two and ninety-seven one-hundredths dollars (602.97) be paid to the following named persons and in the respective sums, to-wit:

To Clement F. Kimball $441.62

(To cover the following items:)

To Charles G. Saunders, for attorney fee	$100.00
To Carl Morgan, eight days' witness fee, 568 miles	38.40
To Charles A. Hansen, eight days' witness fee, 852 miles	52.60
To F. E. Wilkins, three days' witness fee, 284 miles	17.95
To Walt Hendrix, three days' witness fee, 284 miles	17.95

To Henry Roark, seven days' witness fee, 568 miles		37.15	
To Frank W. Wise, two days' witness fee, 284 miles		16.70	
To W. A. Pickernell, two days' witness fee, 284 miles		16.70	
To Gust G. Meyer, two days' witness fee, 284 miles		16.70	
To constable, service of subpoenas		2.00	
To J. D. Hannan, to pay the following expenses, to-wit:			
Drayage	$ .75		
Trunks and packages for ballots	32.40		
Cash paid for packing ballots	4.00		
Express on ballots	18.25		
16 days' witness fee	20.00		
Expenses in Des Moines	27.55		
Eight railroad fares between Council Bluffs and Des Moines, at 2c per mile	22.52		
		125.47	
To Mack C. Goodwin (To cover the following items:)			161.35
To Jerry B. Sullivan, for attorney fee		100.00	
To Charles J. Duff, five days' witness fee, 284 miles		20.45	
To George M. Burns, five days' witness fee, 284 miles		20.45	
To Dennis O'Brien, five days' witness fee, 284 miles		20.45	

Sec. 4. That the state auditor is hereby authorized and directed to draw his warrants upon the state treasury in favor of the persons whose names are set forth in sections two (2) and three (3) of this act in the respective sums herein appropriated to each.

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 in the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Read first and second time and printed in Journal.

By Senator Francis, Senate File No. 478, a bill for an act to amend the law as it appears in chapter sixty-eight (68), acts of the Thirty-fourth General Assembly, relating to the assessment and collection of a tax on collateral inheritance of estates, annuities, legacies, bequests, gifts and transfers; repealing certain sections thereof and providing substitutes therefor; making the provisions of said chapter applicable to direct inheritance of estates, annuities, bequests, gifts and transfers; subjecting the same to taxes, providing the rate of all such taxes, and making exceptions therefrom.

Read first and second time and referred to committee on Ways and Means.

By Senator Balkema, Senate File No. 479, a bill for an act authorizing the board of supervisors to make changes in highways, providing the procedure for such changes and manner of paying therefor.

Read first and second time and referred to committee on Roads and Highways.

By Senator Balkema, Senate File No. 480, a bill for an act to amend sections three (3) and eight (8) of chapter twenty-four (XXIV) of the acts of the Thirty-fourth General Assembly, relating to township and county levies for road purposes.

Read first and second time and referred to committee on Roads and Highways.

By Senator Crist, Senate File No. 481.

A BILL FOR AN ACT to Legalize the Act of the Electors of the City of Osceola, Iowa, in Voting for the Issuance of Bonds in Aid of Improvement and Extension of the City Water Works.

WHEREAS: The city of Osceola, Iowa, is the owner of a water works plant designed to furnish water for public and private use and the water supply thereof has failed, and the city is without water for fire and other protection or for private use; and,

WHEREAS: A sufficient reservoir for the collection of surface water cannot be builded except at the expenditure of a very large amount of money; and,

WHEREAS: It is deemed economical and prudent to put a deep well to make available the subterranean waters; and,

WHEREAS: The city council called an election which was held on the 30th day of December, 1912, and the electors of the said city voted bonds for $6500.00 by a vote of 246 yea to 29 nay, thus authorizing said issuance; and,

WHEREAS: The council before ordering said election failed to require it to receive a petition of the majority of the legal voters of the said city, preliminary to the calling of said election; and,

WHEREAS: Doubts have arisen as to the legality of the said bonds, so voted; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That the bonds and amounts, $6500.00, voted by the voters of the city of Osceola, Iowa, on the 30th day of December, 1912, for the purpose of aiding in the extension and improvement of the city water service by sinking a deep well, be and the same are hereby legalized and rendered valid and binding to the same extent they would have been had it been a legal vote and a petition of the majority of the legal voters petitioning for such election, had been filed with the council prior to the calling of such election. That all illegalities in connection with the voting of the said bonds are hereby legalized and validated.

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Iowa State Register and the Des Moines Capital.

Read first and second time and referred to committee on Judiciary.

By Senator Sullivan, Senate File No. 482, a bill for an act to confer additional powers upon certain cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the supplement to the code, 1907, providing for the levy and collection of a special tax for the purchase and maintenance of apparatus and equipment for use in police service in the department of public safety.

Read first and second time and referred to committee on Cities and Towns.

By Senator Sullivan, Senate File No. 483, a bill for an act to confer certain powers on cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa, as the same appears in chapter fourteen-c (14-c) of title five

of the 1907 supplement to the code, 1897, providing for the levy and collection of a special tax for the purchase, equipment, construction and maintenance of a garbage disposal plant.

Read first and second time and referred to committee on Cities and Towns.

By Senator Kimball, Senate File No. 484, a bill for an act to amend chapter one hundred twenty-one (121) of the laws of the Thirty-third General Assembly, relating to payment of additional help for county auditors in drainage matters.

Read first and second time and referred to committee on Judiciary.

By Senator Darrah, Senate File No. 485, a bill for an act to repeal the law as it appears in section twenty-five hundred ten-j (2510-j) supplement to the code, 1907, relating to the sale of gasoline and to enact a substitute therefor relating to the sale of gasoline, benzine and naptha in the state of Iowa.

Read first and second time and referred to committee on Public Health.

REPORT OF COMMITTEE.

Senator Ames, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate File No. 472, a bill for an act authorizing the appointment of two delegates from the state of Iowa as members of a commission which is to investigate European systems of rural credits and report thereon and making an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Appropriations with the recommendation that the same do pass.

A. L. AMES,
Chairman.

Senator Ames moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

HOUSE MESSAGES CONSIDERED.

House File No. 143, a bill for an act to repeal the law as it appears in section twenty-five hundred sixty-four (2564) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the state board of health.

Read first and second time and referred to committee on Public Health.

House Joint Resolution No. 5, a joint resolution to amend the constitution relating to legislative authority; providing for the initiative and referendum with reference to the enactment of laws, or laws enacted by the general assembly and amendments to the constitution.

Read first and second time and referred to committee on Constitutional Amendments.

House File No. 66, a bill for an act to amend the law as it appears in section 1989-a-19, 1989-a-26, 1989-a-27, and 1989-a-38, of the Supplement to the Code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-fourth General Assembly, and chapter 120 of the acts of the Thirty-third General Assembly, relating to assessments for benefits to roads, streets, and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates, and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued.

Passed on file.

Journal of March 21st was taken up, corrected and approved.

Senator Dunnegan moved that the Senate do now adjourn until 9:30 o'clock Monday morning.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 24, 1913.

Senate met in regular session at 9:30 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. Laura Bowman Galer, Mt. Pleasant, Iowa.

PETITIONS AND MEMORIALS.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Dunnegan presented a petition of citizens throughout Iowa favoring the enactment of a law whereby every voter in the state, for county, state and national officers, including congressmen and electors for president and vice-president of the United States, may vote in any voting precinct within the state outside of his home county, wherever he may be.

Referred to committee on Elections.

Senator Mattes presented a remonstrance of citizens of Greene county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Gillette presented a remonstrance of citizens of Plymouth and Cherokee counties protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a remonstrance of citizens of Crawford county protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Ames presented a remonstrance of citizens of Toledo protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Sheean presented a remonstrance of citizens of Cedar and Jones counties protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a remonstrance of citizens of Wayne county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a remonstrance of citizens of Muscatine county protesting against Senate File No. 131.

Referred to committee on Schools.

Senator Gillette presented a petition of citizens of Aurelia urging the passage of the daylight saloon bill.

Referred to committee on Suppression of Intemperance.

On request of Senator Wilson of Appanoose, leave of absence was granted Senator Nye for the day.

THIRD READING OF BILLS.

On motion of Senator Smith, Senate File No. 358, a bill for an act legalizing a resolution passed by the city council of the city of Atlantic, Iowa, February 27th, 1913, transferring the sum of $1,800.00 from the sewer fund of said city to the general fund of said city, and legalizing such transfer, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Smith moved the adoption of the following amendment:

By adding to section 1 the following: "This act not to affect pending litigation."

Adopted.

Senator Smith 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 ayes were:

Allen, Arney, Balluff, Chase, Crow, Darrah, DeWolf, Doran, Dunnegan, Francis, Garrett, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Webber, Wilson of Appanoose—28.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Boe, Clarkson, Cowles, Crist, Farr, Fellows, Hagemann, Hilsinger, Jewell, McColl, McManus, Neal, Nye, Perkins, Schrup, Sullivan, Taylor, Thomas, White, Wilson of Clinton—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Ames, Senate File No. 476, a bill for an act to amend the law as it appears in an act approved March 15th, 1913, entitled "an act to amend sections two (2), three (3), five (5) and seven (7) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly, and adding new sections to the same relating to stallions and jacks", was taken up and considered.

Senator Ames 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Crow, Darrah, DeWolf, Doran, Dunnegan, Francis, Garrett, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Webber, White, Wilson of Appanoose—32.

The nays were:

None.

Absent or not voting:

Boe, Clarkson, Cowles, Crist, Farr, Fellows, Hagemann, Hilsinger, Jewell, McColl, McManus, Nye, Perkins, Schrup, Sullivan, Taylor, Thomas, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Heald, Senate File No. 426, a bill for an act to repeal section 313 of the code and to enact a substitute therefor, relating to the admission to the practice of law in this state, of attorneys having been duly admitted to practice in other states, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Heald moved the adoption of the following amendment:

By adding after the word "person" in the first line of section 1 the following words: "a resident of this state".

Adopted.

Senator Heald 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Crow, Darrah, DeWolf, Doran, Dunnegan, Francis, Garrett, Gillette, Heald, Jones,

Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Quigley, Ream, Robinson, Savage, Sheean, Spaulding, Webber, White, Wilson of Appanoose—31.

The nays were:

None.

Absent or not voting:

Boe, Clarkson, Cowles, Crist, Farr, Fellows, Hagemann, Hilsinger, Jewell, McColl, McManus, Nye, Perkins, Schrup, Smith, Sullivan, Taylor, Thomas, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Robinson, Senate File No. 177, a bill for an act to repeal the law as it appears in sections six hundred forty-seven (647), six hundred forty-eight (648), and six hundred fifty-one (651), of the supplement to the code, 1907, and to enact substitutes therefor, relative to the election and appointment of certain officers in cities and towns, was taken up and considered.

The motion filed by Senator Robinson on March 21st for a reconsideration of the vote by which Senate File No. 177 passed the Senate, prevailed.

Senator Robinson moved to reconsider the vote by which the bill passed to its third reading.

Carried.

Senator Robinson offered the following amendment and moved its adoption:

I move to amend Senate File No. 177 by striking out all of said bill following the enacting clause and inserting the following in lieu thereof:

Section 1. That section six hundred forty-eight (648) of the Supplement to the Code, 1907, and the law as it appears therein, is hereby repealed and the following enacted in lieu thereof:

"In cities of the second class there shall be elected biennially a mayor, treasurer and assessor."

Sec. 2. That section six hundred fifty-one (651) of the Supplement to the Code, 1907, and the law as it appears therein, is hereby repealed and the following enacted in lieu thereof:

"In all cities and towns the council, at its first meeting, after the biennial election, shall appoint a clerk, and in cities of the second class shall appoint a city solicitor."

Adopted.

Senator Robinson 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 ayes were:

Allen, Ames, Balkema, Balluff, Chase, Crow, Darrah, DeWolf, Dunnegan, Francis, Garrett, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Webber, White—30.

The nays were:

Doran, Wilson of Appanoose—2.

Absent or not voting:

Arney, Boe, Clarkson, Cowles, Crist, Farr, Fellows, Hagemann, Hilsinger, Jewell, McColl, McManus, Nye, Perkins, Schrup, Taylor, Thomas, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Jones, Senate File No. 259, a bill for an act to repeal section twenty-three hundred eight-a (2308-a) of the supplement to the code, 1907, and to enact a substitute therefor relating to the payment of costs and expenses of non-resident insane patients, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Chase, Crow, Darrah, DeWolf, Doran, Dunnegan, Francis, Garrett, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Mattes, McColl, Neal, Quigley, Ream, Robinson, Savage, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—32.

The nays were:

None.

Absent or not voting:

Allen, Boe, Clarkson, Cowles, Crist, Farr, Fellows, Hagemann, Hilsinger, Jewell, Malmberg, McManus, Nye, Perkins, Schrup, Smith, Taylor, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The time having arrived for special order, Senate File No. 237, a bill for an act relating to fire insurance and prohibiting discrimination therein and rebate of the premium charged and providing a penalty therefor, was taken up and considered.

Senator Smith offered the following amendment to the amendment offered by Senator Chase on March 21st and moved its adoption:

I move to amend the amendment by striking out the following words of section 6: "and the filing of the same rate shall be prima facie evidence of such combination".

On the adoption of the amendment, a roll call was demanded.

The ayes were:

Balluff, Gillette, Kimball, Smith, Wilson of Appanoose—5.

The nays were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crow, Darrah, DeWolf, Dunnegan, Fellows, Francis, Heald, Hilsinger, Jones,

Larrabee, Legel, Malmberg, McColl, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Webber, White—29.

Absent or not voting:

Cowles, Crist, Doran, Farr, Garrett, Hagemann, Jewell, Mattes, McManus, Neal, Nye, Perkins, Quigley, Taylor, Thomas, Wilson of Clinton—16.

So the amendment to the amendment was lost.

Senator Francis offered the following amendment to the amendment offered by Senator Chase on March 21st:

I move to amend section 6 (as amended) by adding in line six after the word "of" and before the word "the", the word "substantially".

Adopted.

On the adoption of the amendment offered by Senator Chase on March 21st, as amended, a roll call was demanded.

Those favoring the adoption of the amendment were:

Arney, Balkema, Chase, Clarkson, Darrah, Fellows, Francis, Garrett, Jones, Larrabee, Malmberg, McColl, Ream, Robinson, Spaulding, Thomas—16.

The nays were:

Allen, Ames, Balluff, Boe, Crow, DeWolf, Doran, Dunnegan, Gillette, Heald, Hilsinger, Kimball, Legel, Mattes, Savage, Schrup, Sheean, Smith, Sullivan, Webber, White, Wilson of Appanoose—22.

Absent or not voting:

Cowles, Crist, Farr, Hagemann, Jewell, McManus, Neal, Nye, Perkins, Quigley, Taylor, Wilson of Clinton—12.

So the amendment was lost.

Senator Jones offered the following amendment and moved its adoption:

I move to amend by striking out all after enacting clause, substituting the following:

Section 1. Any insurance company or association insuring against loss by fire or other casualty that shall, for the purpose of crippling or destroying the business of a competitor, make in any locality within the state, any distinction directly or indirectly, between persons insuring property embracing risks of like kind or hazard, in the rate or premiums charged or collected by such company or association; or make any distinction between localities within the state as to classification of risks or rates of insurance on risks of like kind or hazard; or make any rebate in premiums or other valuable consideration that would make any distinction in rates on risks of like kind or hazard in any community or between different communities in this state; or make a lower rate or different classification in this state than is granted or made in adjoining states on risks of like kind or hazard shall be deemed guilty of unfair discrimination which is hereby prohibited and declared to be unlawful.

Sec. 2. Any insurance company or association or its officers, agents or employes or any person found guilty of violating any of the provisions of the preceding section shall be fined not less than five hundred dollars ($500.00), nor more than one thousand dollars ($1,000.00), or be imprisoned in the county jail not to exceed one year, or suffer both penalties.

On the adoption of the amendment offered by Senator Jones, a roll call was demanded:

Those favoring the adoption of the amendment were:

Arney, Balkema, Chase, Darrah, Fellows, Francis, Jones, McColl, Ream, Robinson, Spaulding, Thomas—12.

The nays were:

Allen, Ames, Balluff, Boe, DeWolf, Doran, Dunnegan, Garrett, Gillette, Heald, Hilsinger, Kimball, Larrabee, Legel, Malmberg, Mattes, Quigley, Savage, Schrup, Sheean, Smith, Sullivan, Webber, White, Wilson of Appanoose—25.

Absent or not voting:

Clarkson, Cowles, Crist, Farr, Garrett, Hagemann, Jewell, McManus, Neal, Nye, Perkins, Taylor, Wilson of Clinton—13.

So the amendment was lost.

Senator Francis offered the following amendment and moved its adoption:

I move to amend by adding the following to section 4:

. Any insurance company qualifying under the provisions of this act which by itself or any of its officers or agents combined and agrees to fix any rate or rates in such schedule with any other company or with any of its officers or agents, or grants any rebate or drawback whatsoever shall forfeit its right to do business in this state, and the filing of substantially the same rate shall be prima facie evidence of such combination. And any officer, director or agent of any such insurance company found guilty of a violation of the provisions of this act shall be guilty of a misdemeanor. It is also especially provided that any person or persons furnishing evidence for the state on a subpoena from the state. shall have immunity from prosecution.

The schedule of rates, filed under this act, must be reasonable and must be approved as such by the auditor of the state before becoming effective.

Senator DeWolf raised the point of order that the amendment offered by Senator Francis was practically the same as had previously been offered by Senator Chase.

President held the point of order not well taken.

Senator Dunnegan moved the previous question.

Carried.

On the adoption of the amendment offered by Senator Francis, a roll call was demanded.

Those favoring the amendment were:

Ames, Arney, Balkema, Chase, Clarkson, Darrah, Fellows, Francis, Jones, Larrabee, Malmberg, McColl, Ream, Robinson, Spaulding, Thomas—16.

The nays were:

Balluff, Boe, Crow, DeWolf, Doran, Dunnegan, Garrett, Gillette, Heald, Hilsinger, Kimball, Legel, Mattes, Quigley, Savage, Schrup, Sheean, Smith, Sullivan, Webber, White, Wilson of Appanoose—22.

Absent or not voting:

Allen, Cowles, Crist, Farr, Hagemann, Jewell, McManus, Neal, Nye, Perkins, Taylor, Wilson of Clinton—12.

So the amendment was lost.

The bill was read for information.

Senator DeWolf moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balluff, Boe, Clarkson, Crow, DeWolf, Doran, Dunnegan, Garrett, Gillette, Heald, Hilsinger, Kimball, Legel, Malmberg, Mattes, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Webber, White, Wilson of Appanoose—27.

The nays were:

Arney, Balkema, Chase, Darrah, Fellows, Francis, Jones, Larrabee, McColl, Ream, Spaulding, Thomas—12.

Absent or not voting:

Cowles, Crist, Farr, Hagemann, Jewell, McManus, Neal, Nye, Perkins, Taylor, Wilson of Clinton—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On request of Senator Malmberg, leave of absence was granted Senator McManus for the day.

On request of Senator Clarkson, leave of absence was granted Senator Wilson of Clinton until Tuesday.

On request of Senator Garrett, leave of absence was granted Senator Taylor for the day.

On request of Senator Wilson of Appanoose, leave of absence was granted Senator Neal for the day.

On request of Senator Arney, leave of absence was granted Senator Perkins until Thursday.

On request of Senator Arney, leave of absence was granted Senator Farr for the day.

On request of Senator Wilson of Appanoose, leave of absence was granted Senator Hagemann for the day.

Senator Sullivan moved that the Senate do now adjourn until 1 P. M., today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1 o'clock P. M., President Harding presiding.

PETITIONS AND MEMORIALS.

Senator McColl presented a remonstrance of citizens of Dallas county opposing a permanent tax commission.

Referred to committee on Ways and Means.

THIRD READING OF BILLS.

On motion of Senator Balkema, House File No. 575, a bill for an act to provide for the restoration of lost or destroyed public records, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema 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 ayes were:

Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Legel, Malmberg, Mattes, Quigley, Robinson, Savage, Sheean, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose—28.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Cowles, Crow, Farr, Francis, Hagemann, Jewell, Kimball, Larrabee, McColl McManus, Neal, Nye, Perkins, Ream, Schrup, Smith, Taylor, Webber, Wilson of Clinton—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Francis, Senate File No. 24, a bill for an act to indemnify Clara Bahls for personal injury sustained by her while at work in the laundry while attending the institution for the deaf and dumb at Council Bluffs, Iowa, was taken up and considered.

Senator Francis moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT.

Strike out all after the enacting clause and insert the following:

"Sec. 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of $1000 for payment in full for damages sustained by Clara Bahls arising from injuries sustained by her while at work in the laundry at the State School for the Deaf and Dumb at Council Bluffs, Iowa; said sum to be placed in the hands of the executive council as trustee for the benefit of said Clara Bahls."

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel,

Malmberg, Mattes, McColl, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—37.

The nays were:

None.

Absent or not voting:

Allen, Ames, Cowles, Crow, Farr, Jewell, McManus, Neal, Nye, Perkins, Sheean, Taylor, Wilson of Clinton—13.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator Dunnegan, House File No. 85, a bill for an act to repeal section five thousand twenty-eight-b (5028-b) of the supplement to the code, 1907, and chapter two hundred twenty-two (222), laws of the Thirty-third General Assembly, amendatory thereof, and to enact a substitute therefor relating to unfair discrimination in any commodity of commerce between different sections, localities, communities, cities or towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jones offered the following amendment and moved its adoption:

I move to substitute the letter "c" for "b" as found after the figures "5028" in section 4.

Adopted.

Senator Dunnegan 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 ayes were:

Arney, Balkema, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Quigley, Robinson, Savage, Spaulding, Sullivan, Thomas, Webber—29.

The nays were:

Sheean, White, Wilson of Appanoose—3.

Absent or not voting:

Allen, Ames, Balluff, Boe, Cowles, DeWolf, Farr, Jewell, Mattes, McManus, Neal, Nye, Perkins, Ream, Schrup, Smith, Taylor, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Hilsinger, Senate File No. 127, a bill for an act to amend the law as it appears in section twenty-seven hundred and fifty-four (2754) of the supplement to the code, 1907, relating to the election of officers in independent school districts in towns and cities, was taken up and considered.

HOUSE AMENDMENT.

Amend the title by inserting after the comma following "1907" in the third line thereof the words and figures, "and section twenty-seven hundred and fifty-six (2756) of the Code," and by striking out the period at the end of said title and substituting therefor a comma, and adding the following, "and the appointment of judges therefor in certain districts."

Amend section one by striking out all of line twenty following the word "places," all of line twenty-one, and all of line twenty-two up to and including the period following the word "election," and inserting in lieu thereof the words, "a sufficient number of ballots."

Amend section one by inserting the word "election" after the word "general" and before the word "laws" in the twenty-fourth line thereof.

Amend by adding the following: "Sec. 2. That section twenty-seven hundred and fifty-six of the Code be and the same is hereby amended by striking out from the second and third lines thereof the words, "one of its number and two," and substituting therefor the word "three"; also by inserting after the period following the word "election" in the fourth line of said section the following: "Such judges may or may not be members of the board, as the board may determine, provided that not more than one member of the school board shall act as such judge at any one voting precinct."

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Arney, Balluff, Boe, Chase, Clarkson, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—33.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balkema, Cowles, Crist, Crow, DeWolf, Farr, Jewell, Legel, McManus, Neal, Nye, Perkins, Sheean, Taylor, Wilson of Clinton—17.

So the House amendment having received a constitutional majority was declared concurred in.

On motion of Senator Webber, Senate File No. 401, a bill for an act to punish the making or use of false statements to obtain property or credit, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Webber 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 ayes were:

Allen, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Quigley, Ream, Savage, Schrup, Smith, Spaulding, Sullivan, Webber, Wilson of Appanoose—32.

The nays were:

Doran—1.

Absent or not voting:

Ames, Balluff, Cowles, DeWolf, Farr, Francis, Jewell, McManus, Neal, Nye, Perkins, Robinson, Sheean, Taylor, Thomas, White, Wilson of Clinton—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Heald, House File No. 17, a bill for an act giving school boards in certain districts authority to use school buildings and grounds and other public buildings and grounds for public recreation and playground purposes and providing for the levy of separate tax for the support of same and authorizing cities within or including such districts to appropriate money for the same purpose, additional to chapter fourteen (14), title thirteen (13) of the code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Heald 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—38.

The nays were:

None.

Absent or not voting:

Balluff, Cowles, Crow, Farr, Jewell, McManus, Neal, Nye, Perkins, Schrup, Taylor, Wilson of Clinton—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Thomas moved that Senate File No. 1 be made a special order for Wednesday morning at 10:30 o'clock A. M.

Carried.

On motion of Senator Darrah, House File No. 132, a bill for an act to provide state aid to consolidated schools equipped with two or more rooms and which include in their course of study, industrial and vocational subjects, and making an appropriation therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Darrah moved that the following amendment be adopted:

By striking out the words and figures "fifty (50)" in the third line of section six and inserting in lieu thereof the words and figures "thirty (30)" and also by striking out the words and figures "one hundred (100)" in the fifth line of section six and inserting in lieu thereof the words and figures "fifty (50)".

Adopted.

Senator Darrah 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Francis, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose—35.

The nays were:

None.

Absent or not voting:

Cowles, Crow, Farr, Fellows, Garrett, Hagemann, Jewell, McManus, Neal, Nye, Perkins, Schrup, Taylor, Webber, Wilson of Clinton—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Francis moved that Senate File No. 373 be indefinitely postponed.

Carried.

So the bill was indefinitely postponed.

On motion of Senator Quigley, Senate File No. 184, a bill for an act to amend section 2561 as it appears in the supplement to the code of 1907, for the protection of birds, was taken up and considered.

Senator Quigley moved that the motion to reconsider the vote by which Senate File No. 184 passed the Senate and passed to its third reading be laid on the table.

Carried.

On motion of Senator Crist, House File No. 488, a bill for an act to repeal section 475 of the code and to enact a substitute therefor, relating to the criminal statistics to be kept by the county auditor and the reporting of same by the county auditor to the clerk of the district court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Crist 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—39.

The nays were:

None.

Absent or not voting:

Cowles, Crow, Farr, Jewell, McManus, Neal, Nye, Perkins, Quigley, Taylor, Wilson of Clinton—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Heald, Senate File No. 312, a bill for an act relating to sentence and commitment of persons convicted of felony and to repeal all acts and parts of acts in conflict therewith, with report of committee recommending indefinite postponement, was taken up, considered, and the motion to adopt the report lost.

So the bill was placed on the calendar.

On motion of Senator Spaulding, Senate File No. 318, a bill for an act to amend the law as it appears in section 269 of the code, and repealing section 270 of the code and enacting a substitute in lieu therefor, relating to juries in superior courts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Spaulding moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Boe, Chase, Crist, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Kimball, Legel, Malmberg, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose—31.

The nays were:

None.

Absent or not voting:

Ames, Balluff, Clarkson, Cowles, Crow, Dunnegan, Jewell, Jones, Larrabee, Mattes, McColl, McManus, Neal, Nye, Perkins, Schrup, Taylor, White, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Webber, House File No. 408, a bill for an act to legalize certain conveyances and other instruments of writing affecting real estate, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Webber 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Webber, Wilson of Annanoose—31.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, Crist, Crow, Dunnegan, Farr, Jewell, Kimball, McColl, McManus, Neal, Nye, Perkins, Smith, Taylor, Thomas, White, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Garrett, Senate File No. 443, a bill for an act to amend the law as it appears in section 1989-a-21 of the supplement to the code, 1907, relating to the repair of levees,

drains, ditches and water courses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Garrett moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Webber, Wilson of Appanoose—37.

The nays were:

None.

Absent or not voting:

Cowles, Farr, Jewell, McColl, McManus, Neal, Nye, Perkins, Quigley, Taylor, Thomas, White, Wilson of Clinton—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Crist, Senate File No. 448, a bill for an act for the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick, for a certain tract of land, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Crist moved the adoption of the following amendment:

By adding at the close of section one the words "this act shall not affect pending litigation."

Adopted.

Senator Crist 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose—35.

The nays were:

None.

Absent or not voting:

Cowles, Farr, Hagemann, Hilsinger, Jewell, Mattes, McColl, McManus, Neal, Nye, Perkins, Smith, Taylor, White, Wilson of Clinton—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Mattes, Senate File No. 307, a bill for an act to amend the law as it appears in section 116-a of the supplement to the code, 1907, and to repeal the law as it appears in section 116-b of the supplement to the code, 1907, providing that all the unused portions of all appropriations shall revert to the general fund at the end of the fiscal year, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Mattes moved the adoption of the following amendment to the substitute:

That the substitute be amended by striking out the period at the close of section 1, substituting therefor a comma, and adding "nor to funds granted for a particular purpose, which purpose is not yet accomplished."

Lost.

Senator Mattes moved the substitute for the original bill be adopted.

Adopted.

Senator Mattes 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—38.

The nays were:

None.

Absent or not voting:

Cowles, DeWolf, Farr, Jewell, Kimball, McColl, McManus, Neal, Nye, Perkins, Taylor, Wilson of Clinton—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Larrabee, Senate File No. 315, a bill for an act to amend section 1989-a-34, supplement to the code, 1907, requiring contractors to furnish proof of payment for material and labor on public drainage improvements before receiving final payment, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Larrabee moved that the substitute for the original bill be adopted.

Adopted.

Senator Chase offered the following amendment and moved its adoption:

By adding the following: Section 4. This act shall not be deemed retroactive nor affect pending litigation.

Adopted.

The bill was read for information.

Senator Larrabee moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—39.

The nays were:

None.

Absent or not voting:

Boe, Cowles, Hagemann, Jewell, McColl, McManus, Neal, Nye, Perkins, Taylor, Wilson of Clinton—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Malmberg, Senate File No. 199, a bill for an act relating to claims of the third class against estates, providing for their examination and allowance and the service of notice of disallowance and the bringing of said claims on for trial additional to section three thousand three hundred forty-nine (3349), chapter three (3), title seventeen (17) of the code, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Malmberg moved that the substitute for the original bill be adopted.

Adopted.

Senator Malmberg 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 ayes were:

Ames, Arney, Balkema, Balluff, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose—35.

The nays were:

None.

Absent or not voting:

Allen, Boe, Cowles, Crow, Heald, Jewell, McColl, McManus, Neal, Nye, Perkins, Sheean, Taylor, Webber, Wilson of Clinton—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Farr, Senate File No. 467, a bill for an act to prohibit the removal or destruction of articles or things placed in public highways for the purpose of guarding or inclosing unsafe places therein and providing penalties for a violation thereof, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Farr moved the adoption of the following amendment:

That Senate File No. 467 be amended by inserting the word "wilfully" between the words "thereof" and "remove" in the second line of section 1, and by substituting a period after the

comma after the word "year" in the ninth line of section 1, and striking out all of said section following the period.

Adopted.

Senator Farr 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Quigley, Ream, Robinson, Sehrup, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—38.

The nays were:

None.

Absent or not voting:

Cowles, Crow, Heald, Jewell, McManus, Neal, Nye, Perkins, Savage, Sheean, Taylor, Wilson of Clinton—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator White, House File No. 525, a bill for an act to authorize and direct the board of supervisors of Johnson county, Iowa, to issue a quit claim deed to John Vesely conveying certain real estate located in Johnson county, Iowa, more particularly described as lot 6, block 9, of county seat of Johnson county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator White 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, McColl, Quigley, Ream, Robinson, Schrup, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—37.

The nays were:

None.

Absent or not voting:

Cowles, Crow, Heald, Jewell, Larrabee, McManus, Neal, Nye, Perkins, Savage, Sheean, Taylor, Wilson of Clinton—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Doran, House File No. 385, a bill for an act to legalize an ordinance of the incorporated town of Sheldahl, Iowa, granting a franchise to Boone Electric Company to erect, maintain, and operate an electric power plant in said city, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Doran moved the adoption of the following amendment:

By adding the following at the close of section one: "This act shall not affect pending litigation."

Adopted.

Senator Doran 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis,

Garrett, Hagemann, Hilsinger, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Quigley, Ream, Robinson, Schrup, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose—35.

The nays were:

None.

Absent or not voting:

Cowles, Crow, Gillette, Heald, Jewell, Jones, McManus, Neal, Nye, Perkins, Savage, Sheean, Taylor, Webber, Wilson of Clinton —15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Chase moved that House File No. 115 be re-referred to committee on Judiciary.

Carried.

On motion of Senator Mattes, Senate File No. 477, a bill for an act to appropriate money for the purpose of defraying expenses incurred in the election contests in the nineteenth senatorial district of Iowa, and in the forty-sixth senatorial district of Iowa, and to pay sundry persons for services, mileage, and other expenses incurred in connection with said election contests, was taken up and considered.

Senator Mattes 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hagemann, Heald, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Webber, White, Wilson of Appanoose —37.

The nays were:

None.

Absent or not voting:

Cowles, Gillette, Hilsinger, Jewell, Kimball, McManus, Neal, Nye, Perkins, Sheean, Taylor, Thomas, Wilson of Clinton—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Francis, House File No. 66, a bill for an act to amend the law as it appears in sections 1989-a-19, 1989-a-26, 1989-a-27 and 1989-a-38, of the supplement to the code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-fourth General Assembly, and chapter 120 of the acts of the Thirty-third General Assembly, relating to assessments for benefits to roads, streets and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued, was taken up and considered.

Senator Francis asked unanimous consent to file a motion to reconsider the vote by which House File No. 66 passed the Senate.

Unanimous consent was given to file the motion to reconsider the vote.

Senator Francis moved to reconsider the vote by which House File No. 66 passed the Senate.

Carried.

Senator Francis asked unanimous consent to file a motion to reconsider the vote by which House File No. 66 passed to its third reading.

Unanimous consent was given to file the motion.

Senator Francis moved to reconsider the vote by which House File No. 66 passed to its third reading.

Carried.

Senator Francis offered the following amendments and moved their adoption:

Amend section 2 by inserting after the word "waivers" in line 5 thereof a comma (,).

Amend section 2 by inserting between the words "and" and "improvements" in line 5 thereof, the words "there may be issued".

Amend said section 2 by striking out of said section all after the word "executed" in line 7, and inserting in lieu thereof the words "upon the assessments against lands".

Amend section 5 by striking from line 2 thereof the words "township trustees" and by striking from line 3 thereof the words "or town or city councils".

Adopted.

Senator Francis 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Hagemann, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Webber, White, Wilson of Appanoose—38.

The nays were:

None.

Absent or not voting:

Cowles, Garrett, Gillette, Hilsinger, Jewell, McManus, Neal, Nye, Perkins, Taylor, Thomas, Wilson of Clinton—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

INTRODUCTION OF BILLS.

By Senator Chase, Senate File No. 486.

A BILL for an Act to Legalize the Passage, Adoption and Publication of the Ordinances of the Incorporated Town of Rowan, Wright County, Iowa.

WHEREAS: Doubts have arisen as to the legality of all of the ordinances, from one to fourteen inclusive, of the incorporated town of Rowan, Wright county, Iowa, in that the same were not regularly read, at three separate meetings of the council, nor on three different days; and the rule allowing ordinances to be read three times and passed at the same meeting of the council, was not properly observed and suspended, and in that the ordinances were not published in the manner prescribed by the Iowa statute relating to the publication of ordinances; now therefore:

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That all of the acts of the council of the incorporated town of Rowan, Wright county, Iowa, on the passage, adoption and publication of the ordinances, from one to fourteen inclusive, of said town, be and the same are hereby legalized and declared to be as valid, as if all of the provisions of the law of the state, relating to the passage, adoption and publication thereof had been duly and fully observed, and all of the ordinances are hereby legalized and declared as valid and of the same force and effect, as if the same had been read at three separate meetings and on three different days, and as if the same had been duly published in the manner provided by law, for the reading, adoption and publication thereof; provided that nothing in this act shall in any wise effect pending litigation.

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 the Des Moines Daily Capital, newspapers published in Des Moines, Iowa, and without expense to the state.

Read first and second time and referred to committee on Judiciary.

By Senator Smith, Senate File No. 487, a bill for an act to amend section three thousand three hundred seventy-seven (3377) of the supplement to the code, 1907, relating to the election between the distributive share and take under the will by surviving spouse and setting off such distributive share.

Read first and second time and referred to committee on Judiciary.

By Senator Fellows, Senate File No. 488, a bill for an act to amend the law as it appears in section ten hundred ninety-three (1093) supplement to the code, 1907, relating to election boards.

Read first and second time and referred to committee on Elections.

By Senator Fellows, Senate File No. 489, a bill for an act to amend the law as it appears in section eight (8) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the selection of superintendents of dragging and the employment of road superintendents.

Read first and second time and referred to committee on Roads and Highways.

By Senator Kimball, Senate File No. 490, a bill for an act to amend sub-division one (1) of section four hundred ninety (490) of the supplement to the code, 1907, relating to compensation of county treasurers.

Read first and second time and referred to committee on Compensation of Public Officers.

Senator Clarkson called up for consideration the concurrent resolution introduced by him requesting the directing bodies in charge of state institutions to purchase their fuel from Iowa mines and moved that the report of committee be adopted.

Adopted.

Senator Clarkson moved the adoption of the following amendment:

By striking out the period at the close thereof, substituting therefor a comma, and adding the following words: "when such fuel can be purchased upon reasonably favorable terms."

Adopted.

Senator Clarkson moved that the resolution as amended be adopted.

Adopted.

The president announced the receipt of the following communications which were ordered printed in the Journal.

STATE OF IOWA

DEPARTMENT OF STATE

DES MOINES, March 24, 1913.

HON. W. L. HARDING, *President of the Senate.*

DEAR SIR,—I have the honor to herewith transmit you to be presented to the Thirty-fifth General Assembly for such action as may be deemed proper, a certified copy of Joint Resolution by Senate and House of Maine Legislature, Seventy-sixth Session, referring to federal protection to migratory game and insectivorous birds, and beg to remain,

Respectfully yours,

W. S. ALLEN,
Secretary of State.

STATE OF MAINE.

JOINT RESOLUTION by Senate and House of Maine Legislature, Seventy-sixth Session.

WHEREAS: There is pending before congress a bill known as the McLean bill, Senate Document No. 6497, to afford federal protection to migratory game and insectivorous birds, and

WHEREAS: There is a general sentiment in favor of such protection, and an urgent request has been made for the enactment of such law, now therefore,

Be it Resolved, That congress be and hereby is urged to enact a law insuring ample protection to migratory game and insectivorous birds.

Resolved, That the legislatures of all states of the United States be and they are hereby urged to join in this request by the adoption of this, or a similar resolution.

Resolved further, That the Secretary of State be and hereby is directed to print and transmit copies of this resolution to the Senate and House of Representatives of the United States, and to the several members of said bodies representing this state therein; also to the legislatures of all other states of the United States.

CARL E. MILLIKEN, *President.*

JOHN A. PETERS, *Speaker.*

In Senate chamber February 10, 1913; read and adopted. Set down for concurrence.

W. E. LAWRY, *Secretary.*

House of Representatives, February 10, 1913; read and adopted in concurrence.

W. R. ROIX, *Clerk.*

UNITED STATES OF AMERICA.

STATE OF MAINE.

OFFICE OF SECRETARY OF STATE.

I, J. E. Alexander, secretary of state of the state of Maine, and custodian of the seal of said state, do hereby certify:

That I have carefully compared the annexed copy of joint resolution of the Senate and House of Representatives of the state of Maine in legislature assembled, with the original thereof as filed in the office of the secretary of state of the state of Maine, on the twelfth day of February, 1913, and that it is a full, true and complete transcript therefrom and of the whole thereof.

In testimony whereof, I have caused the seal of the state to be hereunto affixed. Given under my hand at Augusta, this twelfth day of February in the year of our Lord one thousand nine hundred and thirteen and in the one hundred and thirty-seventh year of the independence of the United States of America.

J. E. ALEXANDER,
Secretary of State.

Referred to committee on Constitutional Amendments and Suffrage.

STATE OF IOWA.

DEPARTMENT OF STATE.

DES MOINES, March 24, 1913.

HON. W. L. HARDING, *President of the Senate.*

DEAR SIR,—I have the honor to herewith transmit you to be presented to the Thirty-fifth General Assembly for such action as may be deemed proper, a certified copy of House Joint Memorial No. 3, adopted by the legislature of the state of Wyoming, referring to federal protection to migratory game birds, and beg to remain,

Respectfully yours,

W. S. ALLEN,
Secretary of State.

THE STATE OF WYOMING.

OFFICE OF THE SECRETARY OF STATE.

United States of America, State of Wyoming, ss.:

I, Frank L. Houx, secretary of state of the state of Wyoming, do hereby certify that the following copy of House Joint Memorial No. 3, adopted by the legislaure of the state of Wyoming, has been carefully compared with the original, filed in this office on the eighteenth day of February, A. D. 1913, and is a full, true and correct copy thereof:

HOUSE JOINT MEMORIAL NO. 3.

WHEREAS: There have been introduced in congress three bills (Nos. H. R. 36, H. T. 4428, S. 2367) to afford federal protection to migratory game birds; and

WHEREAS: There is a very general sentiment in this state in favor of such protection, and an urgent request for the enactment of such a law has been made, as appears by the numerous petitions received; now, therefore,

Resolved, (The Senate concurring), That congress be and hereby is requested to enact a law giving ample protection to migratory game birds.

Resolved, That the legislatures of all other states of the United States, now in session or when next convened, be and they are hereby respectfully requested to join in this request by the adoption of this or an equivalent resolution.

Resolved, further, That the secretary of state be and he hereby is directed to transmit copies of this resolution to the Senate and the House of Representatives of the United States, and to the several members of said body representing this state therein; also to transmit copies hereof to the legislatures of all other states of the United States.

MARTIN L. PRATT,
Speaker of the House.

BIRNEY H. SAGE,
President of the Senate.

Approved February 17, 1913.

JOSEPH M. CAREY,
Governor.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the state of Wyoming.

Done at Cheyenne, the capitol, this eighteenth day of February, A. D. 1913.

FRANK L. HOUX,
Secretary of State.

(Seal)

By F. H. WESCOTT,
Deputy.

Referred to committee on Constitutional Amendments and Suffrage.

REPORTS OF COMMITTEES.

Senator Hilsinger, from the committee on Board of Control and its Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred Senate File No. 65, a bill for an act to establish an Industrial Reformatory for Women, to make appropriation therefor, to provide for the transfer of inmates to and from the industrial school for girls and repealing the law as it appears in chapter eight-a (8-a) of title thirteen (XIII) of the Supplement to the Code, 1907, relating to an industrial reformatory for females, beg leave to report they have had the same under consideration and recommend the same do pass, after being referred to the committee on Appropriations.

G. E. HILSINGER,
Chairman.

Senator Hilsinger moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Senator Sullivan, 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. 334, a bill for an act providing for the assessment of the cost of main sewers to the property within the territory drained and defining adjacent property relative thereto, and amending section eight hundred forty-d (840-d), of the Supplement to the Code, 1907, relating to the construction of main sewers and paying cost thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 232, a bill for an act to repeal the law as it appears in section forty-two (42), acts of the Thirty-third General Assembly, and to enact a substitute therefor, providing for the selection of an official

newspaper in cities and towns, and for the publication of the proceedings of city and town councils and providing compensation therefor, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 232.

A BILL for an Act to Repeal the Law as it Appears in Chapter Forty-two (42) of the Laws of the Thirty-third General Assembly and to Enact a Substitute Therefor.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. Immediately following a regular or special meeting of the city or town council, the clerk shall prepare a list of claims allowed, and from what funds appropriated and cause the same to be published in one or more newspapers of general circulation, published in said city or town, or to be posted in one or more public places, where directed by said council; and said clerk shall, when so ordered by said council, prepare a condensed statement of the proceedings of said council and publish or post same as herein provided for claims allowed.

Sec. 2. That the compensation allowed each newspaper for such publication shall not exceed one-third of the legal fee provided by statute for the publication of legal notices; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 416, a bill for an act to amend section 720, Supplement to the Code, 1907, relating to the powers of cities and towns, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 509, a bill for an act to repeal section one (1) of chapter forty-nine (49) of the acts of the Thirty-fourth General Assembly, relating to the improvement of water fronts in cities acting under special charter and enacting a substitute therefor, relating to the levee improvement commission in such cities, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed one file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 425, a bill for an act to amend section eight hundred seventeen (817) of the Code, relating to special assessments for street improvements, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Senator Sullivan moved that 500 additional copies of Senate File No. 389 be printed.

Carried.

The Journal of Saturday was taken up, corrected and approved.

Senator Savage moved that the Senate do now adjourn until 9:30 A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER
DES MOINES, IOWA, MARCH 25, 1913.

Senate met in regular session at 9:30 o'clock A. M. President Harding presiding.

Prayer was offered by Rev. B. F. Fellman, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Balluff presented a petition of citizens of Scott county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Appanoose presented a petition of citizens of Appanoose county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Fellows presented a petition of citizens of Allamakee county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balluff presented a petition of citizens of Scott county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Mattes presented a petition of citizens of Nemaha, asking passage of House File Nos. 169 and 173; also House File No. 368.

Referred to committee on Suppression of Intemperance.

Senator Robinson presented a remonstrance of citizens of Hancock county protecting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Malmberg presented a remonstrance of citizens of Jasper county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a remonstrance of citizens of Maxwell protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a remonstrance of citizens of Boone county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Perkins presented a remonstrance of citizens of Delaware county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Allen presented a remonstrance of citizens of Pocahontas county protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Allen presented a remonstrance of citizens of Humboldt and Rutland protesting against a permanent tax commission.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Larrabee, Senate File No. 491, a bill for an act making special provision for the enforcement of sanitary conditions by the State Board of Health upon complaint made by five (5) or more citizens.

Read first and second times and referred to committee on Public Health.

Senator Smith moved that the Senate request the House to return to the Senate, Senate File No. 428.

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. 220, a bill for an act to amend the law as it appears in section 3, chapter 174, laws of the Thirty-fourth General Assembly, relating to misbranding of foods.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 to confer certain powers on cities organized under chapter 48, acts of Thirty-second General Assembly, etc., and on cities having population of 5,000 or more organized under chapter 2 of title 5 of Code of 1897, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 513, a bill for an act to prohibit the importation of diseased bees.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 425, a bill for an act to amend section four thousand six hundred-a (4600-a) of the Supplement to the Code, 1907, as amended by chapter 208 of the acts of the Thirty-third General Assembly, relative to fees of justices of the peace and constables and the time of payment of same.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 to amend section 6 of chapter 168 of the acts of the Thirty-third General Assembly, relating to hotels and lodging houses.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 160, a bill for an act to repeal sections 193 and 194 of the Code and to enact a substitute therefor providing for an increase in the number of judges in the supreme court of Iowa and providing for a division of said court into sections, and to amend section ten hundred sixty-six (1066) of the Supplement to the Code, 1907, in reference to the selection of the chief justice of said court.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House transmits herewith the petitions relating to House File No. 439, providing for the appointment of special agents to capture criminals.

A. C. GUSTAFSON,
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. 134, a bill for an act to amend the law as it appears in paragraph 8 of section 894 of the Supplement to the Code, 1907, relating to the levy of special taxes by cities.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 20, a bill for an act to grant power to cities now or hereafter having a population of 20,000 or over and organized under chapter 14-c of title 5 of the Supplement to the Code, 1907, and amendments thereto to assume exclusive charge, etc., of all trees and shrubbery and the planting and maintenance thereof on the public streets and to provide for the payment of the costs thereof.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 265, a bill for an act to repeal section 21 and to amend section 24, chapter 131 of the acts of the Thirty-third General Assembly, known as "the Military Code of Iowa."

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 10, a bill for an act in relation to semi-monthly payment of wages and salaries by corporations and all employers of laborers and servants and providing a penalty for violation of same.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 amend section 1076 of the Supplement to the Code, 1907, relating to the registration of voters.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 prohibit public treating to intoxicating liquors and prescribing penalties therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 175, a bill for an act to amend section 2732 of chapter 12, title 13 of the Supplement to the Code, 1907, and section 2772 of the Code, regulating the conduct of pupils and forbidding the use of tobacco by such pupils.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 250, a bill for an act to amend the law as it appears in section 1272, Supplement to the Code, 1907, relating to the filling of vacancies in office.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 authorize heads of state institutions under the board of control of state institutions to deposit in bank money in their hands belonging to inmates and to provide for the use of the income from such deposits.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 amend chapter 184 of the acts of the Thirty-fourth General Assembly relative to the suspension of the execution of the sentence of certain convicts on first conviction.

A. C. GUSTAFSON,
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. 74, a bill for an act to repeal section 2606 of the Supplement to the Code, 1907, and to enact a substitute therefor relating to admissions to the soldiers' home.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 requiring the teaching of elementary agriculture, domestic science, and manual training in the public schools, after a specified time.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended by substitute amendment and passed the following bill, in which the concurrence of the House was asked:

Substitute for Senate File No. 13, a bill for an act to amend section 364 of the Code, relating to investment of moneys.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 219, a bill for an act to provide for the transfer to the city or town treasury of unclaimed funds in the treasury of the county, where such unclaimed funds are the proceeds of an invalid tax levied to pay for the construction of an electric light plant for such city or town, and making the same a part of the general fund of such city or town.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 legalize ordinances of town of Ayrshire, Iowa, and authorizing the substitution of a new ordinance record in place of original record.

A. C. GUSTAFSON,
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. 141, a bill for an act to repeal the law as it appears in section 2692-a of the Supplement to the Code, 1907, and to repeal section 1 of chapter 172 of the acts of the Thirty-third General Assembly, relating to state agents, and to amend section 1 of chapter 134, making appropriation for the salaries and expenses of state agents.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 279, a bill for an act to amend the law as it appears in section 2724 of the Supplement to the Code, 1907, and to enact a Substitute therefor, relating to admission to the school for the deaf and to reports by county superintendents of deaf persons.

A. C. GUSTAFSON,
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. 178, a bill for an act to repeal the law as it appears in section 711 of the Code and to enact a substitute therefor relating to the powers of cities and towns to enact ordinances for protection against fires, accidents, from electrical apparatus, to establish fire limits, etc.

A. C. GUSTAFSON,
Chief Clerk.

REPORTS OF COMMITTEES.

Senator Nye, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred House File No. 249, a bill for an act making appropriations to reimburse certain employes of the Iowa school for the deaf, for loss of wearing apparel, by fire, at said school on the 23d day of April, 1911, beg leave to report they have had the same under consideration and recommend the same do pass.

A. D. NYE,
Chairman.

Senator Nye moved the bill be referred to committee on Appropriations.

Carried.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Claims, to whom was referred House File No. 647, a bill for an act for relief of M. O. Clemens for personal injuries sustained by him while employed as engineer in the state sanitarium for the treatment of tuberculosis at Oakdale, Iowa, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL FOR AN ACT for the Relief of M. O. Clemens for Personal Injuries Sustained by Him While Employed as Engineer in the State Sanitarium for the Treatment of Tuberculosis at Oakdale, Iowa.

WHEREAS: On or about the last week of July, 1910, M. O. Clemens, while acting in the capacity as engineer in the said sanatarium, received a tubercular infection on his right hand from the sputum of inmates of said institution, resulting in serious damage to his health and physical injury, now, therefore,

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the governor is hereby requested to communicate with Dr. Frederick F. Friedmann with the view of arranging to have said physician receive the said M. O. Clemens as a patient of the state of Iowa and treat him according to his method.

Sec. 2. The sum of one thousand dollars ($1,000.00) or so much thereof as may be necessary is hereby appropriated from any moneys in the state treasury not otherwise appropriated, for the purpose of paying

the expense of the treatment as herein provided, together with the personal expenses of said M. O. Clemens and such attendant as the governor may appoint to accompany him to the point where it may be necessary to go for said treatment to be received. Provided, further, that whatever sum, if any, remains after defraying the expense herein referred to shall be turned over to the said M. O. Clemens.

Sec. 3. In addition to the above, the sum of one thousand dollars ($1,000.00) is hereby appropriated from any moneys in the state treasury not otherwise appropriated, to indemnify M. O. Clemens in full for the damages sustained by him on account of the injuries received as aforesaid.

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, and recommend the same be referred to the committee on Appropriations with recommendation that the same do pass.

A. D. NYE,
Chairman.

Substitute read first and second time.

Report of committee adopted.

So the bill was referred to committee on Appropriations.

HOUSE MESSAGES CONSIDERED.

House File No. 220, a bill for an act to amend section three (3), chapter one hundred seventy-four (174), laws of the Thirty-fourth (34th) General Assembly, relating to the misbranding of foods.

Read first and second time and referred to committee on Food and Dairy.

House File No. 312, a bill for an act to confer certain powers on cities organized under the commission form of government and on cities having a population of five thousand (5,000) or more organized under chapter two (2) of title five (5) of the code, and cities organized under special charter relating to the organization, equipment and operations of fire departments, and providing for the levy and collection of a special tax for the use and benefit of such fire departments and granting power to anticipate said tax and to issue fire fund certificates or bonds.

Read first and second time and referred to committee on Cities and Towns.

House File No. 513, a bill for an act to prohibit the importation of diseased bees.

Read first and second time and referred to committee on Agriculture.

House File No. 425, a bill for an act to amend section four thousand six hundred-a (4600-a) of the supplement to the code, 1907, as amended by chapter two hundred eight (208) of the acts of the Thirty-third General Assembly, relative to fees of justices of the peace and constables and the time of payment of same.

Read first and second time and referred to committee on Judiciary.

House File No. 492, a bill for an act to amend section six (6) of chapter one hundred sixty-eight (168) of the acts of the Thirty-third General Assembly relating to hotels, inns and lodging houses.

Read first and second time and referred to committee on Cities and Towns.

House File No. 160, a bill for an act to repeal section one hundred ninety-three (193) and one hundred ninety-four (194) of the code and to enact a substitute therefor providing for an increase in the number of judges in the supreme court of Iowa, and providing for a division of said court into sections, and to amend section ten hundred sixty-six (1066) of the supplement to the code, 1907, in reference to the selection of the chief justice of said court.

Read first and second time and referred to committee on Judiciary.

House File No. 134, a bill for an act to amend the law as it appears in paragraph eight (8) of section eight hundred ninety-four (894) of the supplement to the code, 1907, relating to the levy of special taxes by cities.

Passed on file.

House File No. 20, a bill for an act to grant power to cities now or hereafter having a population of twenty thousand or over and organized under chapter fourteen-c (14-c) of title five (5) of the supplement to the code, 1907, and amendments thereto, to assume exclusive charge, custody and control of all trees and shrubbery and the planting and maintenance thereof on the public streets and to provide for the payment of the costs thereof.

Read first and second time and referred to committee on Cities and Towns.

All petitions received from the House relative to House File No. 439, a bill for an act to authorize the appointment of special agents to aid in the detection, identification, capture and conviction of criminals, delinquents and defectives, and to require the co-operation and assistance of all sheriffs, police and peace officers and all other officers charged with the care, supervision and jurisdiction over criminals, delinquents or defectives referred to committee on Judiciary.

House File No. 265, a bill for an act to repeal section twenty-one (21) and to amend section twenty-four (24) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly, relating to the powers and duties of the sheriff and providing for the payment of the officers and men of the National Guard.

Read first and second time and referred to committee on Military.

House File No. 10, a bill for an act requiring common carriers and express companies to pay salaries to their employees and servants twice each month and to pay salaries and wages due such servants and employes upon their discharge or voluntary leaving such employment, and providing for a forfeiture in case of failure to pay salaries and wages due within five (5) days after demand.

Read first and second time and referred to committee on Railroads.

House File No. 242, a bill for an act to amend section ten hundred and seventy-six (1076) of the supplement to the code, 1907, relating to the registration of voters.

Read first and second time and referred to committee on Elections.

House File No. 245, a bill for an act to prohibit public treating to intoxicating liquors, and prescribing penalties therefor.

Read first and second time and referred to committee on Suppression of Intemperance.

House File No. 175, a bill for an act to amend section 2732 of chapter 12, title XIII, of the supplement to the code, 1907, and section 2772 of the code regulating the conduct of pupils of the public schools, and forbidding the use of tobacco by such pupils.

Read first and second time and referred to committee on Schools.

House File No. 250, a bill for an act to amend the law as it appears in section twelve hundred seventy-two (1272) supplement to the code, 1907, relating to the filling of vacancies in office.

Read first and second time and referred to committee on Judiciary.

House File No. 228, a bill for an act to authorize heads of state institutions under the board of control of state institutions to deposit in bank money in their hands belonging to inmates and to provide for the use of the income from such deposits.

Read first and second time and referred to committee on Board of Control and its Institutions.

House File No. 304, a bill for an act to amend chapter one hundred eighty-four (184) of the acts of the Thirty-fourth (34th) General Assembly relative to the suspension of the execution of the sentence of certain convicts on first conviction.

Read first and second time and referred to committee on Judiciary.

Senate File No. 205, a bill for an act requiring the teaching of elementary agriculture, domestic science, and manual training in the public schools, after a specified time.

Passed on file.

Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the code, relating to investment of money and to enact a substitute therefor.

Substitute read first and second time.

Senator Balluff moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT.

A BILL FOR AN ACT to Amend Section Three Hundred Sixty-four (364) of the Code, Relating to Investment of moneys.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section three hundred sixty-four (364) of the code be amended as follows:

By striking out the period at the end of said section and inserting in lieu thereof a comma, and adding thereto the following: "or the judge or court in which the subject matter is pending may, by special order, direct such investments to be made in bonds issued by or under the direction of cities, towns, counties or school districts of this state."

On the question, "Shall the Senate concur in House amendments:

The ayes were:

None.

The nays were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Cowles, Darrah, DeWolf, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Heald, Larrabee, Legel, Malmberg, Mattes, McManus, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—32.

Absent or not voting:

Arney, Clarkson, Crist, Crow, Farr, Francis, Hilsinger, Jewell, Jones, Kimball, McColl, Neal, Nye, Perkins, Sheean, Smith, Spaulding, Webber—18.

So the House amendment not having received a constitutional majority was declared to have been lost.

Senate File No. 219, a bill for an act to provide for the transfer to the city or town treasurer of unclaimed funds in the treasury of the county where such unclaimed funds are the proceeds of an invalid tax levied to pay for the construction of an electric light plant for such city or town, and making the same a part of the general fund of such city or town.

Passed on file.

Senate File No. 376, a bill for an act to legalize ordinances of the town of Ayrshire, Iowa, and authorizing the substitution of a new ordinance record in place of the original record.

Passed on file.

Senate File No. 279, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-four (2724) of the supplement to the code of 1907, and to enact a substitute therefor relating to admission to the school for the deaf and to reports by county superintendents of deaf persons.

Passed on file.

Senate File No. 178, a bill for an act to repeal the law as it appears in section seven hundred eleven (711) of the code and enacting a substitute therefor relating to the powers of cities and towns in respect to prevention of fires, accidents from electrical apparatus, fire limits and erection of structures within fire limits.

HOUSE AMENDMENT.

1. That there be inserted after the word "cities" in the fourth line of the original bill, and before the word "and," following, to-wit: "including cities acting under special charters and cities acting under commission form of government."

2. That there be added to this bill the following, to-wit:

"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."

Passed on file.

THIRD READING OF BILLS.

The time having arrived for special order, Senate File No. 118, a bill for an act to confer additional powers upon trust companies and to prescribe the conditions under which they may transact business, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator DeWolf moved the adoption of the following amendments:

First. Strike out the words, "real estate" in the fifth line of paragraph 8 of section two and insert in lieu thereof the words "farm lands."

Second. Insert the word "if" before the word "the" in the fourth line of section five.

Third. Amend section ten by striking out the words "said trust company" in line two and insert in lieu thereof the word "any"; also to insert the word "may" after the word "corporation" in the fourth line; also to insert the word "on" after the word "corporation" in the sixth line of said section.

Adopted.

Senator Smith offered the following amendment and moved its adoption:

"I move to strike from Senate File No. 118 the words "guardian, administrator, executor", whether singular or plural, wherever the same appears in said bill.

Lost.

Senator Francis offered the following amendment and moved its adoption:

I move to amend the bill as follows:

1. Strike from paragraph seven of section 1, the word "stock."

2. Strike paragraph eight from section 1.

3. Strike from section 1 all of paragraph nine after the word company."

Pending.

On account of Special Order No. 1, further consideration of the bill was postponed.

The time having arrived for special order, Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the Board of Railroad Commissioners to "Public Utilities Commission," enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the Executive Council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the Board of Railroad Commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities, with report of committee on Appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Adopted.

Senator Crist offered the following amendment and moved its adoption:

Strike out from the printed bill on page 36 beginning with the word "and" following the word "manner" in line 106, all of line 107, and that part of line 108 up to and including the word "appeal" before the word "provided."

Adopted.

Senator Sullivan moved that further consideration of Senate File No. 306 be postponed until 10 o'clock tomorrow morning.

Carried.

The following communication was received from the governor, read, and ordered printed in the Journal:

STATE OF IOWA.

EXECUTIVE DEPARTMENT.

To the Members of the Thirty-fifth General Assembly:

Iowa has a soil that is not equalled in its possibilities by any other like area of the earth's surface. Yet there are countries where the soil, of much less natural fertility, is made to produce, on the average, almost, if not quite, twice as much per acre of crops common to both countries. This must necessarily be due to better methods of soil conservation, closer study of seed selection, better methods of tillage and generally to a more profound study of soil production as it is related to human needs and welfare. The soil of England, Germany, France, after centuries of cultivation, is made to produce on the average twice as much wheat per acre as is produced in this country. Holland and Denmark do likewise and also double the production per acre of oats, potatoes and other crops produced here. It is said of Denmark that no other country in the world is to be compared with her in the intelligence with which she treats her soil and in results produced. To express it in another way it has been said that all the rest of the world can go to Denmark to learn how to farm. Her agricultural schools, planted thickly over the country, superintended and taught by men of a very high order of scholarship are said to be unsurpassed. Home economics, I am advised, receive the most careful attention with most excellent results. In some of the countries mentioned dairying has also been brought to a state of perfection and profit not equalled elsewhere. The utilization of the entire products of the field for feed and the study of food values has brought about great economies. The great benefit of co-operation among agricultural industries has been conclusively demonstrated. Through co-operation agriculture, dairying and all allied industries have been made much more profitable. Land tenancy in some of these countries has been put upon a sound basis, just and profitable alike to both landlord and tenant, and at the same time compelling the preservation and fertility of the soil.

The possibilities of Iowa wait upon scientific study of ways and means. She is crying out, so to speak, to be given a chance to demonstrate to the world the wondrous land she really is. She is impatient of this delay. She is tired of being shorn of her strength when she should and could, if given a chance, bring forth in multiplied abundance. Her wisest and most far-seeing men want to lend a hand to bring about this most desirable consummation.

Believing that it would result in great benefit to our agricultural interests and thus also promotive of the general good if a study at first hand by competent and well known citizens of the state could be made in

some of the countries mentioned, at least, of agricultural conditions and methods and dairying and schools and co-operation and land tenantry and kindred subjects with special reference to Iowa conditions and needs and a report made of results, facts and conclusions, and believing that you will be glad to co-operate with me in whatever will prove helpful to our people in connection with these great subjects, I respectfully ask that by resolution you authorize and empower me to appoint and commission as representatives of the state of Iowa not more than three persons for the purpose above named, all to be without any expense whatever to the state.

Done at the city of Des Moines, Iowa March 25, 1913.

G. W. CLARKE,
Governor.

Senator Ames moved that the Senate do now adjourn until 3 P. M., today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 3 o'clock P. M., President Harding presiding.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 118, a bill for an act to confer additional powers upon trust companies and to prescribe the conditions under which they may transact business.

Senator Francis offered the following amendment and moved its adoption:

I move to amend the bill as follows: strike from paragraph seven of section 1 the word "stocks".

Adopted.

Senator Francis offered the following amendment and moved its adoption:

Strike paragraph eight from section 1.

On the adoption of the amendment, a roll call was demanded.

The ayes were:

Allen, Ames, Balkema, Chase, Clarkson, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Jones, Larrabee, Legel, Malmberg, McColl, Nye, Ream, Spaulding, Wilson of Appanoose—23.

The nays were:

Arney, Balluff, Cowles, DeWolf, Dunnegan, Hagemann, Hilsinger, Quigley, Robinson, Savage, Schrup, Webber, White, Wilson of Clinton—14.

Absent or not voting:

Boe, Crist, Jewell, Kimball, Mattes, McManus, Neal, Perkins, Sheean, Smith, Sullivan, Taylor, Thomas—13.

So the amendment was adopted.

Senator Francis offered the following amendment and moved its adoption:

Strike from section 1 all of paragraph nine after the word "company".

Adopted.

Senator Chase offered the following amendment and moved its adoption:

Strike out the words "receiver and assignee" wherever they occur in the bill.

On the adoption of the amendment, a roll call was demanded.

Those favoring the amendment were:

Chase, Clarkson, Crow, Doran, Farr, Fellows, Garrett, Gillette, Larrabee, Malmberg, Spaulding, Wilson of Appanoose—12.

The nays were:

Allen, Arney, Balluff, Boe, Cowles, Darrah, DeWolf, Dunnegan, Francis, Hagemann, Heald, Hilsinger, Jones, Kimball, Legel,

Mattes, McColl, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Taylor, Webber, White, Wilson of Clinton—27.

Absent or not voting:

Ames, Balkema, Crist, Jewell, McManus, Neal, Nye, Perkins, Sheean, Smith, Thomas—11.

So the amendment was lost.

Senator Francis offered the following amendment and moved its adoption:

I move to amend section 8 by striking out the last sentence beginning with the word "but" in the fourth line from the bottom of Senate Journal, page 578.

Lost.

Senator Dunnegan moved the previous question.

Carried.

Senator Cowles 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Cowles, Crist, Crow, DeWolf, Dunnegan, Fellows, Francis, Hagemann, Heald, Hilsinger, Jones, Kimball, Legel, Mattes, McColl, McManus, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Taylor, Thomas, Webber, White, Wilson of Clinton—34.

The nays were:

Chase, Clarkson, Darrah, Doran, Farr, Garrett, Gillette, Larrabee, Malmberg, Smith, Spaulding, Wilson of Appanoose—12.

Absent or not voting:

Jewell, Neal, Perkins, Sheean—4.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Cowles moved that the vote by which Senate File No. 118 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Carried.

INTRODUCTION OF BILLS.

By Senator Boe, Senate File No. 492.

A BILL FOR AN ACT to Legalize the Platting of an Addition to the Town of Kensett, Iowa, Executed by Mrs. Margaret Lukason, Dated March 21, 1898, and Filed for Record in the Office of the Recorder of Worth County, Iowa, April 9, 1898.

WHEREAS: At the time said plat was acknowledged and recorded, the statute of Iowa required that the acknowledgment recite that it was "with the free consent and in accordance with the desire of the proprietor," and

WHEREAS: Said acknowledgment only recited "I do hereby certify that the survey of the same into lots, blocks, streets and allies was done by my directions," and

WHEREAS: Doubts have arisen as to the regularity and sufficiency of said recital in said acknowledgment; therefore

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the plat of an addition to the town of Kensett, Worth county, Iowa, by Mrs. Margaret Lukason, dated March 21, 1898, and filed for record April 9, 1898, in the office of the recorder of deeds of Worth county, Iowa, be and the same is hereby validated and legalized the same as though the form of acknowledgment thereof, had in all respects fully and correctly conformed to the requirements of the statutes of Iowa then in force.

Sec. 2. Nothing herein contained shall be construed to affect pending legislation.

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, without expense to the state of Iowa.

Read first and second time and referred to committee on Judiciary.

By Senator Taylor, Senate File No. 493, a bill for an act to amend section forty-nine hundred sixty-nine (4969) supplement to the code, 1907, relating to cruelty to animals.

Read first and second time and referred to committee on Judiciary.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 210, a bill for an act to amend the law as it appears in sections ten hundred fifty-six-a-twenty-five and ten hundred fifty-six-a-twenty-six (1056-a-25 and 1056-a-26) of the Supplement to the Code, 1907, as amended, and to provide for the appointment and powers of library trustees in certain cities.

Also:

Senate File No. 52, a bill for an act requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for failure to comply therewith.

Also:

Senate File No. 43, a bill for an act appropriating the sum of twenty-seven hundred ($2,700.00) dollars, to indemnify Allen W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa.

Also:

Senate File No. 266, a bill for an act to amend the law as it appears in section seven hundred forty-one-o (741-o), Supplement to the Code, 1907, relating to the election of city hospital trustees.

Also:

Senate File No. 180, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-a-sixty-four (2727-a64) of the Supplement to the Code, 1907, relating to removal of patients from county asylum and providing for the expense thereof.

Also:

Senate File No. 124, a bill for an act to amend section three thousand eight hundred two (3802) of the Code relative to the lien of judgments.

Also:

Senate File No. 391, a bill for an act to legalize the proceedings of the city council of the city of Tipton, Iowa, for the construction of a sewer system.

Also:

Senate File No. 221, a bill for an act legalizing the ordinances, resolutions and acts of the council of the incorporated town of Pacific Junction in Mills county, Iowa, so far as affected by the election of six members of said council instead of five.

Also:

Senate File No. 387, a bill for an act to legalize the proceedings of the city council of the city of Des Moines, Iowa, for the construction of the Seventh ward sewer system in said city.

JOHN H. TAYLOR,
Chairman.

Passed on file.

REPORTS OF COMMITTEES.

Senator Thomas, 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. 31, a bill for an act to repeal section six hundred seventy-four (674) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the compensation of assessors in cities and towns, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

That in section one (1), line seven (7), the words "Under the commission form of government" be striken out, and when so amended the bill do pass.

C. H. THOMAS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred House File No. 30, a bill for an act to amend section twenty-seven hundred-e (2700-e) of the Supplement to the Code, 1907, relating to the salary of the chief executive officer of the Iowa

Soldiers' Orphans' Home at Davenport, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Appropriations for passage.

C. H. THOMAS,
Chairman.

Senator Thomas moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate File No. 252, a bill for an act to amend the law as it appears in sections eighty-six (86), ninety-eight (98), one hundred fifteen (115), and two hundred eleven (211) of the Code, and sections twenty-six hundred and twenty-seven (2627) and two hundred five (205), supplement to the Code, 1907, relating to the compensation of the secretary of state, the auditor of state, the treasurer of state, the attorney general, the superintendent of public instruction and the clerk of the supreme court, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute: and that the same thereafter be recommended to the appropriation committee for passage:

SUBSTITUTE FOR SENATE FILE NO. 252.

A BILL FOR AN ACT to Amend the Law as it Appears in Sections Eighty-six (86), Ninety-eight (98), One Hundred Fifteen (115), and Two Hundred Eleven (211) of the Code, and Sections Twenty-six Hundred Twenty-seven (2627) and Two Hundred Five (205), Supplement to the Code, 1907, Relating to the Compensation of the Secretary of State, the Auditor of State, the Treasurer of State, the Attorney General, the Superintendent of Public Instruction and the Clerk of the Supreme Court.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in section eighty-six (86) of the Code be and the same is hereby amended by striking from the second line of said section the words "twenty-two hundred ($2,200.00)" and inserting in lieu thereof words "thirty-six hundred ($3600.00)."

Sec. 2. That the law as it appears in section ninety-eight (98) of the Code be and the same is hereby amended by striking from the second line of said section the words "twenty-two hundred ($2200.00)" and inserting in lieu thereof the words "thirty-six hundred ($3600.00)."

Sec. 3. That the law as it appears in section one hundred fifteen (115) of the Code be and the same is hereby amended by striking from the second line of said section the words "twenty-two hundred" and inserting in lieu thereof the words "thirty-six hundred ($3600.00)."

Sec. 4. That the law as it appears in section two hundred eleven (211) of the Code be and the same is hereby amended by striking from the second line of said section the word "four" and inserting in lieu thereof the word "five."

Sec. 5. That the law as it appears in section twenty-six hundred twenty-seven (2627), Supplement to the Code, 1907, be and the same is hereby amended by striking from the second line of said section the words "twenty-two hundred" and inserting in lieu thereof the words "twenty-four hundred."

Sec. 6. That the law as it appears in section two hundred five (205), Supplement to the Code, 1907, be and the same is hereby amended by striking from the second line of said section the words "twenty-two hundred" and inserting in lieu thereof the words "twenty-four hundred."

Sec. 7. No other or additional compensation shall be paid by the state of Iowa to any of the officers herein named for services rendered to the state, and when so amended the bill do pass.

C. H. THOMAS,
Chairman.

Substitute read first and second time.

Senator Thomas moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate File No. 452, a bill for an act to amend the law relating to the compensation of members of the General Assembly as the same appears in section twelve (12) of the Code, as amended by chapter one (1), of the acts of the Thirty-fourth General Assembly, beg leave to report they have had the same under consideration and recommend the same do pass.

C. H. THOMAS,
Chairman.

Ordered passed on file.

Senator Fellows, from the committee on Commerce and Trade, submitted the following report:

MR. PRESIDENT—Your committee on Commerce and Trade, to whom was referred Senate File No. 470, a bill for an act to provide for the examination and licensing of auctioneers, regulating the calling, business and vocation of an auctioneer and providing punishment for the violation of the same, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. M. FELLOWS,
Chairman.

Senator Fellows moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Darrah, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections to whom was referred House File No. 5, a bill for an act providing for the nonpartisan nomination and election of judges of the supreme, district and superior courts of Iowa, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

JOHN H. DARRAH,
Chairman.

Senator Darrah moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Clarkson moved that the vote to adopt the report of the committee on Elections by which House File No. 5 was indefinitely postponed be reconsidered.

Carried.

Also:

MR. PRESIDENT—Your committee on Elections to whom was referred House File No. 55, a bill for an act to amend section one thousand eighty-seven-a-10 (1087-a-10) of the Supplement to the Code, 1907, as amended

by chapter sixty-nine (69) acts of the Thirty-third General Assembly, and chapters fifty-eight (58) and fifty-nine (59) acts of the Thirty-fourth General Assembly, relating to nomination papers, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN H. DARRAH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections to whom was referred Senate File No. 223, a bill for an act relating to elections and to permit a qualified voter to cast his ballot in any voting precinct within the state of Iowa and prescribing conditions and restrictions therefor, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend the bill by striking out all after the enacting clause and substituting the following:

Section 1. That upon and after the passage of this act any legally qualified elector of the state of Iowa, who shall comply with the provisions of this act, shall be entitled to vote at any voting precinct in this state at any general election or at any primary election, providing said elector shall have not less than three nor more than ten days prior to said election, made request of the county auditor of the county in which said elector is a resident, for an official ballot and permit of non-resident to vote. Said request shall be in writing, signed and sworn to by the person making the request and shall state the name, place of residence (giving street and number if in a town or city), together with the length of time of residence of said person at said place, and the extent of affiants personal acquaintance with said person.

Upon receipt of said request, if the name of the person making same appears on the poll books in the office of the county auditor, and there accompanies said request the affidavit of at least two freeholders in said county showing identification of the person making said application with such name on said poll books, the county auditor shall issue to said person a permit to vote, which permit shall contain the name of said elector, his place of residence, and shall also state that he is a legally qualified voter of (naming precinct) precinct in said county. Should any person whose name does not appear upon the regular roll book of the precinct of his residence, make application for the permit hereinbefore provided for, the county auditor shall require of said person the affidavit of at least two freeholders in said county, showing the name, age, occupation and actual residence (giving street and number if in a city or town), of the person making such request and shall also set forth the length of time said person has resided in said place, and the extent of affiant's personal acquaintance with said person.

If upon examination of said affidavits, application and poll books, the county auditor shall determine that the applicant is a legally qualified voter of the precinct and county, he shall issue said permit, which shall be countersigned by the person to whom issued, and said signature witnessed by the county auditor. With said permit the county auditor shall also issue an official ballot upon which he shall endorse with indelible ink the words "non-resident ballot" to be followed by the signature or facsimile of the signature of the auditor issuing said permit and ballot. He shall enclose said permit and ballot in an envelope, in which envelope he shall also enclose another envelope properly addressed to himself as county auditor, and said enclosing envelope shall be properly and securely sealed by the county auditor and delivered to the person making the request therefor.

Sec. 2. The said elector having received said permit, ballot, and addressed envelope, shall file same with the enclosing envelope unopened, with the election board of the precinct in which he desires to vote, and shall make application to said election board for the right to vote in said precinct. Said application shall be signed and sworn to by the applicant before one of the judges of election of said board, and shall state the name, age, residence, (naming street and number if in a city or town), and the occupation of the applicant, and shall also state the said applicant is the person referred to in the permit issued by the county auditor placed therewith, and that he is a legally qualified elector within the state of Iowa and desires to cast his vote in the said precinct. This application shall be accompanied by an affidavit showing that the person who desires to vote and the person to whom said permit was issued are one and the same person, which affidavit and application shall be signed and sworn to by at least one legally qualified voter of the precinct in which said application is presented.

Sec. 3. The judge of election of the precinct where said application is presented shall examine the enclosing envelope hereinbefore referred to, and if same shows from its condition that it has not been opened or tampered with they shall accept same, open said envelope, and upon examination of the contents thereof and the application to them and affidavits therewith, they shall find the applicant is the person to whom said permit was issued, they shall permit said elector to cast said ballot, and they shall enter his name and address upon the poll book in said precinct, designating him as a non-resident voter. In connection with the name of said voter they shall also list the residence as given by him in said application together with the names of the witnesses hereinbefore provided for.

Sec. 4. When said ballot is cast, same shall be delivered to the judges of election, who shall enclose said ballot together with the permit to the voter, the application to the judges and affidavits accompanying same, in the envelope addressed to the county auditor issuing said permit, and shall seal same and immediately mail said envelope to said county auditor, and upon receipt of said envelope the county auditor shall preserve

same unopened until the board of supervisors of his county shall meet for the purpose of canvassing the vote of said county, whereupon said unopened envelope shall be delivered to said board and said board shall open same, and if the contents be in proper form, canvass same, adding such vote to the totals received by the various candidates for whom such non-resident voter voted, and said ballot, permit, application and affidavit shall be preserved in the same manner as other ballots.

The auditor of such county shall, upon the canvass of said ballot, enter the name of said voter upon the poll book of resident voters in the precinct in which said voter resides, and such record shall entitle the said voter to cast his vote at any election thereafter the same as though he had voted in the precinct of his residence and his vote given as hereinbefore provided for, shall have the same force and effect in all respects as though said voter had been personally present in said precinct and had cast his vote.

Sec. 5. The county auditor shall record the name and precinct of the person to whom he issues a permit under this act, and on or before the day of said election, shall certify to the election board of said precinct the name of all persons of said precinct who have received permits as herein provided, and such person or persons shall not be allowed to vote in said precinct unless such person or persons shall surrender to the judges of election of the precinct the permit so issued by said county auditor, and upon surrender of same with the envelope unopened, the person so surrendering such permit shall be given the regular ballot of the precinct and shall be entitled to there vote. Said permit so surrendered shall be returned to the county auditor.

Sec. 6. If any person other than the person to whom the permit was issued, shall present same for the purpose of voting thereon, or shall vote thereon, or shall by the use of said permit obtain the right to vote and vote thereon, he shall be guilty of a misdemeanor and shall be punished accordingly. Any person who shall swear falsely in the making of any affidavit hereinbefore provided for, shall be guilty of perjury and shall be punished accordingly.

Sec. 7. The county auditors of the several counties of the state shall furnish the necessary official ballots containing the names of all candidates for office down to and including the county ticket of their counties, as shall be required to meet the provisions of this act, and shall also furnish affidavits and applications in blank for the purposes herein provided for. No permit issued shall be of any validity nor shall same be received at any election except the election immediately following the issuance of said permit and occuring within ten days after the issuance thereof; and when so amended the bill do pass.

JOHN H. DARRAH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections to whom was referred Senate File No. 198, a bill for an act to repeal section one thousand seventy-two (1072) of the Supplement of the Code, 1907, relating to the election of county officers and enacting in lieu thereof the following, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

JOHN H. DARRAH,
Chairman.

Senator Darrah moved the adoption of the report of the committee:

Adopted.

So the bill was indefinitely postponed.

Senator Heald, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred a resolution providing for a joint committee of three members of the Senate, to be appointed by the President of the Senate, and three members of the House, to be appointed by the Speaker, to ascertain and report by what method economy and needed reform can be promoted in the printing and distribution of public documents, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Retrenchment and Reform.

F. A. HEALD,
Chairman.

Senator Heald moved the adoption of the report of the committee.

Adopted.

So the concurrent resolution was referred to committee on Retrenchment and Reform.

Senator Quigley, 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. 208, a bill for an act to amend section 5, chapter 154, acts of the Thirty-third General Assembly, relative to fees received

for hunting license, beg leave to report they have had the same under consideration and recommend the same be reported for indefinite postponement.

ROBERT QUIGLEY,
Chairman.

Ordered passed on file.

Senator Mattes, from the committee on Appropriations, returned to the Senate, Senate File No. 162, and same was referred to the committee on Board of Control and its Institutions.

REPORT OF COMMITTEE.

Senator Allen, 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. 305, a bill for an act to repeal the law as it appears in section one (1), two (2), three (3), and five (5) of chapter sixty-three (63), of the acts of the Thirty-fourth (34th) General Assembly, relating to the assessment and taxation of money, credits, corporation shares of stock, and other intangible property; to amend the law as it appears in section one thousand three hundred ten (1310) of the Code relating to the same subject and to amend the law as it appears in section thirteen hundred eleven (1311) of the Code providing for deducting debts from property listed for taxation, beg leave to report they have had the same under consideration and recommend the same to be indefinitely postponed.

J. H. ALLEN,
Chairman.

Senator Allen moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

INTRODUCTION OF BILLS.

By Senator Allen, Senate File No. 494, a bill for an act to amend section one (1) of chapter one hundred forty-five (145) acts of the Thirty-fourth (34th) General Assembly, relative to the limits of indebtedness of independent school districts.

Read first and second times and referred to committee on Schools.

By Senator Quigley, Senate File No. 495, a bill for an act to amend section 2561, supplement to the code, 1907, for the protection of birds, and providing for enforcement.

Read first and second times and referred to committee on Fish and Game.

By Senator Farr, Senate File No. 496, a bill for an act to require railroad companies to fence and place signs along their yard limits in cities and towns and to provide penalties and forfeitures for failure so to do.

Read first and second times and referred to committee on Railroads.

REPORT OF COMMITTEE.

Senator Darrah, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred Substitute for Senate File No. 48, a bill for an act to repeal the law as it appears in sections four hundred ten (410) and four hundred eleven (411), Supplement to the Code, 1907; and to enact a substitute therefor relating to the election, compensation, duties and terms of office of county supervisors, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SUBSTITUTE FOR SENATE FILE NO. 48.

A BILL FOR AN ACT to Repeal the Law as it Appears in Sections Four Hundred Ten (410), and Four Hundred Eleven (411), Supplement to the Code, 1907, and in Sections Four Hundred Seventeen (417), and Four Hundred Eighteen (418), of the Code and Section Four Hundred Sixteen (416), of the Code as Amended by Chapter Twenty-two (22) of the Laws of the Thirty-fourth General Assembly; and to Enact a Substitute Therefor Relating to the Election, Duties, Terms of Office and Bonds of County Supervisors.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in section four hundred ten (410) Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

The board of supervisors in each county shall consist of three persons, except where the number may heretofore have been or hereafter be

increased in the manner provided by this chapter, in which case such number shall not exceed five after the second secular day in the year 1917. They shall be qualified electors and each be a resident of a different supervisor district and be nominated and elected at large from their respective districts by the qualified voters of their respective counties. The board of supervisors of any county may, and when petitioned to do so by ten per centum of the electors of said county, shall submit to the qualified voters of the county, at any regular election, the following proposition: "Shall the proposition to increase the number of supervisors to five be adopted?" If the majority of the votes cast shall be for the proposition so submitted, then, at the next ensuing election for a supervisor, the requisite additional supervisors shall be elected, whose terms of office shall be determined by lot, in such manner that one of the additional members shall hold his office for four years, and one for two years. In any county where the number of supervisors has been increased to five, the board of supervisors, on the petition of ten per centum of the legal voters of the county, shall submit to the qualified voters of the county, at any regular election, the following proposition: "Shall the proposition to reduce the number of supervisors to three be adopted?" If a majority of the votes cast shall be for the decrease, then the board of supervisors and the districts shall be reduced to the number indicated by such vote, and thereafter there shall be biennially elected the number requisite to fill the board.

Sec. 2. That the law as it appears in section four hundred eleven (411) Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

At the general election in 1914 there shall be elected in the same manner as their predecessors, supervisors to succeed those whose term expired in January following the election and the terms of office of all supervisors elected in 1912 and 1914, shall be extended to and shall expire on the second secular day of January, 1917. At the general election in the year 1916 there shall be elected according to the provisions of this act supervisors from the even numbered districts of said county for the short term of two years commencing on the second secular day in January, 1917, and supervisors from the odd numbered districts for the long term of four years commencing on the second secular day in January, 1917. At the general election in 1918, and biennially thereafter, supervisors shall be elected in each county as herein provided from the districts in which the term of the resident supervisor expires in January following the said election. The term of office of all supervisors elected after 1916, under the provisions of this act shall be four years and shall commence on the second secular day of January immediately following their election.

Sec. 3. That the law as it appears in section four hundred sixteen (416) of the Code as amended by chapter 22 of the laws of the Thirty-fourth General Assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

The board of supervisors shall at its regular meeting in January, 1916, or in any even numbered year thereafter may divide its county by townships into a number of supervisor districts corresponding to the number of supervisors to be elected at the next election in such county.

Sec. 4. That the law as it appears in section four hundred seventeen (417) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"Such districts shall be as nearly equal in area and population as possible and shall embrace territory as nearly contiguous as practicable, each of which districts shall be entitled to one member of the board of supervisors to be nominated and elected by the electors of the whole county, and no civil township shall be permitted to have more than forty per cent of the members of the board of supervisors, and no civil township shall be part of more than two supervisor districts.

Sec. 5. That the law as it appears in section four hundred eighteen (418) of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

"Before entering upon the discharge of the duties of his office, each member of the board of supervisors shall give a bond in the penal sum of five thousand dollars ($5,000.00) conditioned as provided in section eleven hundred eighty-three (1183) of the Code, the same to be approved by the clerk of the district court of the county and be filed in the office of said clerk"; and when so amended the bill do pass.

JOHN H. DARRAH,
Chairman.

Substitute read first and second time.

Ordered passed on file.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Clarkson, Senate File No. 497, a bill for an act creating a department of labor and industry, empowering the Iowa industrial commission as executive officers of the department to fix standards of safety and providing for procedure in connection therewith, abolishing the office of labor commissioner and offices in connection therewith and conferring the powers and duties now imposed by law upon the Iowa industrial commission.

Read first and second times and referred to committee on Labor.

By Senator Mattes, Senate File No. 498, a bill for an act to amend the law relating to state library commission as the same

appears in section twenty-eight hundred eighty-eight-a (2888-a) supplement to the code, 1907.

Read first and second times and referred to committee on Public Libraries.

REPORTS OF COMMITTEE.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 351, a bill for an act to promote horticulture by the creation of new and better adapted varieties through scientific cross-breeding and selection, and to make an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Strike out the words and figures "one thousand (1,000)" in the third line of section 1, and insert in lieu thereof the following words and figures, "five hundred (500)"; and when so amended the bill do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 38, a bill for an act to provide for the compilation of the laws of the Thirty-third, Thirty-fourth and Thirty-fifth General Assemblies and the laws as they appear in the Supplement to the Code, 1907; to annotate same and the Code and rules of the supreme court, to and including May term, 1913, of the supreme court, and to publish the said compilation and annotations as a "Supplement to the Code, 1913," and to provide for the appointing of a supervising committee, the election of an editor of such Supplement to the Code and to establish a salary for such editor, and making an appropriation therefor, and repealing section twenty-four (24) of chapter twenty (20) of the acts of the Twenty-sixth General Assembly, extra session, as same appears on page five (5) of the prefix to the Code, beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Journal of March 24th, was taken up, corrected and approved.

Senator Mattes moved that the Senate do now adjourn until 9:30 o'clock A. M., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, MARCH 26, 1913.

Senate met in regular session at 9:30 o'clock A. M.

President Harding presiding.

Prayer was offered by Rev. Emil H. Rausch, Waverly, Iowa.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 166, a bill for an act to amend section 4420 of the Code, relating to applications for writs of habeas corpus.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 353, a bill for an act providing for the record title of lands granted to the Dubuque and Pacific railroad company.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 311, a bill for an act to amend the law as it appears in section 4999-a4 of the Supplement to the Code, 1907, providing for the comfort and safety of laborers and other persons assembled in factories and buildings.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 316, a bill for an act to legalize the adoption of certain propositions at an election of the county of Wapello, state of Iowa, with the effect of authorizing the board of supervisors of said county to purchase land for an addition to the county farm of said county, to incur indebtedness for the purchase of said land, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 176, a bill for an act to amend section 1 of chapter 68 of the acts of the Thirty-fourth General Assembly relating to the assessment and collection of a tax upon collateral estates, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 413, a bill for an act to amend the law as it appears in section 2806, Supplement to the Code, 1907, and chapter 182 of the acts of the Thirty-third General Assembly, relating to school taxes.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 652, a bill for an act to legalize the acts of the electors of the city of Osceola, Iowa, in voting for the issuance of bonds in aid of improvement and extension of the city water works.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 107, a bill for an act to amend the law as it appears in sections 2505 and 2508 of the Supplement to the Code, 1907, in reference to the inspection of petroleum products.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 to amend the law as it appears in section 720 Supplement to the Code, 1907, as amended by chapter 44 acts of the Thirty-third General Assembly, and chapter 34, acts of the Thirty-fourth General Assembly, and to authorize cities and towns to enter into contracts to purchase heat, gas and electric current and to sell the same.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 the law as it appears in section 724, Supplement to the Code, 1907, and in section 894 Supplement to the Code, 1907, relating to the powers of cities and towns.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 2727-c of chapter 11-A of the Supplement to the Code, 1907, relating to school for blind.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 438, a bill for an act to amend section 2792 of the Code, relating to the restoration of territory to the school district from which it has been taken.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 261, a bill for an act to amend section 2814 of the Supplement to the Code, relative to the acquisition of school sites.

A. C. GUSTAFSON,
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 consurrence of the House was asked:

House File No. 293, a bill for an act to legalize the incorporation of Humboldt state bank, Humboldt, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Received from House March 19th.

PETITIONS AND MEMORIALS.

Senator Wilson of Clinton presented a remonstrance of citizens of Clinton county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a remonstrance of citizens of Story county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Ways and Means.

Senator Gillette presented a remonstrance of citizens of Cherokee county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Garrett presented a remonstrance of citizens of Louisa county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Robinson presented a petition of citizens of Alexander, urging passage of House File No. 484.

Referred to committee on Railroads.

Senator Larrabee presented a remonstrance of citizens of Fort Dodge, Clare, and Arlington, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Legel presented a petition of citizens of Marble Rock favoring the Five Mile Limit bill.

Referred to committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Heald, Senate File No. 499, a bill for an act providing for publication of the report of the doings of the executive council in the biennial expense report.

Read first and second time and referred to committee on Printing.

Senator Spaulding introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That the President of the Senate and Speaker of the House shall appoint a committee of five, three from the House and two from the Senate, to investigate the fire protection and needed repairs of the capitol and surrounding state buildings, who shall report to the Senate not later than Saturday, April 5, 1913.

Laid over under the rules.

HOUSE MESSAGES CONSIDERED.

Senate File No. 353, a bill for an act providing for the record title of lands granted to the Dubuque and Pacific Railroad Company.

Passed on file.

Senate File No. 311, a bill for an act to amend the law as it appears in section forty-nine hundred ninety-nine-afour (4999-a4) of the supplement to the code, 1907, providing for the safety and comfort of laborers and other persons assembled in factories and buildings.

Passed on file.

Senate File No. 316, a bill for an act to legalize the adoption of certain propositions at an election of the county of Wapello, state of Iowa, with the effect of authorizing the board of Supervisors of said county to purchase land for an addition to the county home farm of said county, and to incur indebtedness for the purchase of such land, and to levy a continuing annual tax to provide for the payment of such indebtedness.

Passed on file.

Substitute for Senate File No. 176, a bill for an act to amend section one (1) of chapter sixty-eight (68) of the acts of the Thirty-fourth General Assembly relating to the assessment and collection of a tax upon collateral estates, annuities, legacies, bequests, gifts, transfers and inheritances.

Passed on file.

House File No. 413, a bill for an act to amend the law as it appeals in section twenty-eight hundred six (2806), supplement to the code, 1907, and chapter one hundred eighty-two (182), of the acts of the Thirty-third General Assembly relating to school taxes and to increase the amount that may be levied in the teachers' fund and the contingent fund.

Read first and second time and referred to committee on Schools.

House File No. 652, a bill for an act to legalize the acts of the electors of the city of Osceola, Iowa, in voting for the issuance of bonds in aid of improvement and extension of the city water works.

Read first and second time and referred to committee on Judiciary.

House File No. 107, a bill for an act to amend the law as it appears in sections twenty-five hundred and five (2505) and twenty-five hundred and eight (2508) of the supplement to the code, 1907, in reference to the inspection of petroleum products.

Read first and second time and referred to committee on Food and Dairy.

House File No. 212, a bill for an act to amend the law as it appears in section seven hundred twenty (720) supplement to the code, 1907, as amended by chapter forty-four (44) acts of the Thirty-third (33) General Assembly, and chapter thirty-four (34) acts of the Thirty-fourth (34th) General Assembly and to authorize cities and towns to enter into contracts to purchase heat, gas, and electric current, and to sell the same.

Read first and second time and referred to committee on Cities and Towns.

House File No. 131, a bill for an act to amend the law as it appears in section seven hundred twenty-four (724), supplement to the code, 1907, and in section eight hundred ninety-four (894), supplement to the code 1907, relating to the powers of cities and towns.

Read first and second time and referred to committee on Cities and Towns.

House File No. 260, a bill for an act to amend section two thousand seven hundred twenty-seven-c (2727-c) of chapter eleven-a (11-a) supplement to the code of 1907, relating to school for blind.

Read first and second time and referred to committee on Board of Control and its Institutions.

House File No. 438, a bill for an act to amend section 2792 of the code, relating to the restoration of territory to the school district from which it has been taken.

Read first and second time and referred to committee on Schools.

House File No. 261, a bill for an act to amend section twenty-eight hundred and fourteen (2814) of the supplement to the code, relative to the acquisition of school sites.

Read first and second time and referred to committee on Schools.

Passed on file.

Senate File No. 166, a bill for an act to amend section forty-four hundred twenty (4420) of the code relating to applications for writ of habeas corpus.

Senator Francis moved that Senate concur in the following House amendment:

Amend by striking out section 2, publication clause.

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Grancis, Garrett, Gillette, Hagemann, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Balluff, Clarkson, Cowles, Crist, Crow, Hilsinger, Jewell, McColl, McManus, Perkins, Quigley, Ream, Schrup, Taylor, Wilson of Appanoose—15.

So the House amendment having received a constitutional majority was declared concurred in.

REPORTS OF COMMITTEES.

Senator Fellows, from the committee on Commerce and Trade, submitted the following report:

MR. PRESIDENT—Your committee on Commerce and Trade, to whom was referred House File No. 7, a bill for an act to invest the district courts of the state of Iowa with jurisdiction and authority to restrain violations of any law heretofore or hereafter enacted to protect the

public and trade and commerce against unlawful restraints, trusts, conspiracies, combinations and monopolies, or unfair discrimination between different sections, communities or localities; to require any person firm, association or corporation to respond to a subpoena in any court in this state, and to give testimony and produce any books, papers or documents in any hearing, investigation, proceeding or prosecution for the violation of any laws relating to pools, trusts, conspiracies, combinations or monopolies, or prohibiting unfair discrimination between different sections, communities or localities, and to provide immunity to the person so testifying; and to make an appropriation for the purpose of enforcing the provisions of this act and all laws passed to protect trade and commerce against unlawful restraints, trusts, conspiracies, combinations and monopolies, and all laws relating to the fixing of prices and charges or designed to prohibit unfair discrimination between different sections, communities or localities, beg leave to report they have had the same under consderation and recommend the same, after being referred to the committee on Appropriations, do pass.

A. M. FELLOWS,
Chairman.

Senator Fellows moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Commerce and Trade, to whom was referred Senate File No. 333, a bill for an act providing for the license of certain classes of temporary or transient merchants doing business in cities or incorporated towns, defining the same and the manner of issuing licenses, regulating the advertising and representation of such merchants and providing for penalties for the violation thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

A. M. FELLOWS,
Chairman.

Ordered passed on file.

Senator Chase, from the committee on Corporations, submitted the following report:

MR. PRESIDENT—Your committee on Corporations, to whom was referred House File No. 380, a bill for an act to fix and declare the liability of persons, firms or private corporations, entering into contracts with

the state of Iowa, or with any county, city, town, city organized under special charter, school corporation or with any municipal corporation now existing or hereafter created and to provide for immunity to witnesses in proceedings to establish such liability, beg leave to report they have had the same under consideration and recommend the same do pass.

D. C. CHASE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Corporations, to whom was referred Senate File No. 263, a bill for an act to empower private cemetery associations to condemn land for addition to their cemeteries, beg leave to report they have had the same under consideration and recommend the same do pass.

D. C. CHASE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Corporations, to whom was referred Senate File No. 206, a bill for an act to amend section 1, chapter 104, acts of the Thirty-third General Assembly, describing the form of index of articles of incorporation, and making it the duty of the recorder to so index said articles, beg leave to report they have had the same under consideration and recommend the same do pass.

D. C. CHASE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Corporations, to whom was referred Senate File No. 62, a bill for an act to amend section 1617 of the Code relative to filing notices of dissolution by corporations, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

D. C. CHASE,
Chairman.

Senator Chase moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Corporations, to whom was referred House File No. 45, a bill for an act providing that all common carriers operating within the state of Iowa and conveying live stock shall provide sleeping berths or bunks for the persons in charge of live stock, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

D. C. CHASE,
Chairman.

Ordered passed on file.

Senator Doran, from the committee on Labor, submitted the following report:

MR. PRESIDENT—Your committee on Labor, to whom was referred Senate File No. 389, a bill for an act authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employes, providing the powers, etc., of such board and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of decision of board, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the period after the word "application," in line 16 of section 1, and inserting a comma and by the addition of the following: "provided that an arbitration board shall not be appointed in any case of dispute between any employers and employes, who are working under a trade agreement, or who may be seeking to renew such agreement, unless written application be made for its appointment by the official representatives of both such employers and employes."

After being referred to committee on Appropriations, and when so amended the bill do pass.

J. R. DORAN,
Chairman.

Senator Doran moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Senator Crist, from the committee on Public Utilities, submitted the following report:

MR. PRESIDENT—Your committee on Public Utilities, to whom was referred Senate File No. 57, a bill for an act to authorize the location, use and construction of lines for the transmission of electric current or energy and the erection of poles, wires, insulators, towers and other necessary construction therefor and the procuring of and making compensation for the right of way for said transmission lines, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 57, BY HEALD.

A BILL for An Act to Confer Power upon the Railroad Commission of the State of Iowa to Grant a Franchise to Any Individual or corporation Organized under the Laws of the State of Iowa, or Corporation Authorized to Transact Business in Iowa under the General Incorportion Laws of the State, Engaged in the Manufacture, Sale or Distribution for Sale of Electric Courrent, to Construct Transmission Lines and Obtain the Necessary Interests in Real Estate Therefor, and the Manner of Making Compensation to said Owner of Said Lands for Said Rights.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. Upon petition to the Railroad Commission of the State of Iowa, said Railroad Commission may grant to any individual or corporation organized under the laws of Iowa, or corporation authorized to transact business in Iowa under the general incorporation laws of the State, engaged in the manufacture, sale, or distribution for sale of electric current for light, power, or heating purposes, the right within the State, except in cities and towns, to erect, use and maintain poles, wires, guy wires, towers, fixtures and other necessary construction for the purpose of conducting electricity for lighting, power and heating purposes over, along and across any public lands, highways or streams or the lands of any person or persons, and to acquire the necessary interests in real estate therefor.

The said petition shall set forth the manner, methods and specifications for the construction of said lines, together with a general description of the public lands, highways, streams or private lands over which it is desired that said transmission line be constructed, together with a map showing the starting point, route and terminus of said proposed line.

Upon the filing of said petition, the commission shall cause publication in the official newspapers of each county into or through which said proposed line extends, of a notice addressed to the citizens of said county, which notice shall contain a statement as to the pur-

pose of the petition, a description of the lands to be traversed by the transmission line, and the date and place fixed by the commission for hearing upon said petition.

The date fixed shall be not less than ten days after the last publication of said notice hereinbefore provided for, and at any time before final submission to the commission, objections in writing to the proposed line, either as to its establishment of location, may be filed with the commission and shall be given due consideration.

The expense of said publication shall be paid by the applicant as a condition precedent to said hearing.

The commission may personally examine the proposed route and, upon said hearing, may grant the application either as a whole or in part, or upon such conditions as to terms and location as to the commission may seem right and just.

The privilege granted by the commission shall be and constitute a franchise to operate and maintain the proposed transmission line, but all rights granted by said franchise shall be subject to the provisions of this act and also to such regulations as the legislature may, from time to time, prescribe, either by direct legislative enactment or by and through the Railroad Commission, under the laws of Iowa now or hereafter in force.

Sec. 2. Any person or corporation organized under the laws of this State, or corporation authorized to transact business in Iowa under the general incorporation laws of the State, owning or operating a transmission line for the conducting of electricity, or who or which has obtained a right so to do, and desires to acquire additional rights for the purposes contemplated herein, may petition the Railroad Commission, as hereinbefore provided, for the original granting of such right, and the same proceedings shall be taken as hereinbefore provided; provided, however, that before the commission shall act upon such petition, the person or corporation filing same shall, with said petition, file its consent that the provisions of this act and of all acts or laws relating to public utilities or to the regulation, supervision, or control thereof which are now in force or which may be hereafter enacted, shall apply to its existing line or lines with the same force and effect as though said line or lines had been constructed under the permit provided for in Section 1 hereof.

Sec. 3. Any transmission line proceeding under this act and obtaining the franchise herein provided shall be conclusively held to an acceptance of the provisions of this act and of all acts or laws relating to public utilities or to the regulation, supervision, or control thereof which are now in force or which may be hereafter enacted, and to have consented to such reasonable regulations as the commission may, from time to time, prescribe.

Sec. 4. Any person or corporation having secured the franchise provided for in the preceding sections shall thereupon be vested with the right of eminent domain to such extent as may be necessary and as prescribed and approved by the commission, to carry out the purposes of said franchise, and in the event agreement with the private owner of lands as to damages caused by the construction of said transmission line cannot be made, the same proceedings shall be taken as provided for taking private property for works of internal improvement in Chapter 4 of Title X of the Code and amendments thereto.

Sec. 5. The Railroad Commission shall have power of supervision over the construction of said transmission line and over its future operation and maintenance, and said transmission line shall be constructed near and parallel to the right of way of the railways of the State or along the division lines of the lands, according to the government survey thereof, wherever the same is practicable and reasonable, and so as not to interfere with the use by the public of the highways or streams of the state, nor unnecessarily interfere with the use of any lands by the occupant thereof, and shall be built of strong and proper wires attached to strong and sufficient supports properly insulated at all proper points of attachment; all wires, poles and other devices which by ordinary wear or other causes are no longer safe shall be removed and replaced by new wires, poles or other devices, as the case may be, and all abandoned wires, poles and other devices shall be at once removed.

Where wires carrying current are carried across, either above or below wires used for other service, the said transmissoin line shall be constucted in such manner as to eliminate, so far as practicable, damages to persons or property by reason of said crossing; there shall also be installed sufficient devices to automatically shut off electric current through said transmission line whenever connection is made whereby current is transmitted from the wires of said transmission line to the ground, and there shall also be provided a safe and modern improved device for the protection of said line against lightning.

No transmission line shall be constructed, except by agreement, within one hundred feet of any dwelling house or other building, except where said line crosses or passes along a public highway or is located alongside or parallel with the right of way of any railway company.

At any crossing of any highway by said transmission line, the poles or towers next to the highway shall be labeled with the following words:

"Danger .....

..... volts

Electricity."

The stroke of said letters and numbers shall be at least four inches in length and not less than five-eighths of an inch in width, and the color of the letters and numbers shall be in contrast with the color of the background. The said labels shall show the maximum number of volts of electricity transmitted over said line, and said label shall face toward the highway.

Where said poles or towers are extended along said highway and within the limits thereof or immediately adjacent thereto, the sign hereinbefore described shall be placed at least every quarter of a mile.

The commission shall have full power and authority to add such further and additional rules and regulations as regards location, construction, operation and maintenance of said transmission line as may be reasonable.

Sec. 6. In case of injury to any person or property by any transmission line operating under this act, negligence will be presumed on the part of the person or corporation operating said line in causing said injury, but this presumption may be rebutted by proof, but no change in the rule of the burden of proof shall exist in favor of employees of the person or corporation operating said transmission line who are charged with or engaged in the construction, reconstruction, repair or maintenance thereof.

Sec. 7. Individuals or corporations operating transmission lines constructed under the provisions of this act, or operating by acceptance under the provisions of this act, shall have reasonable access to said transmission line for the purpose of constructing, reconstructing, enlarging, repairing or locating the poles, wires or construction and other devices used in or upon said transmission line, but shall pay to the owner of such lands and of crops thereon all damages to said lands or crops caused by entering, using and occupying said lands for said purposes. Said damages shall be payable annually at the end of each season, and shall be payable in the county where caused, but nothing herein contained shall be construed to prevent the execution of an agreement between said operating company and the owner of said land or crops with reference to the use thereof.

Sec. 8. 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 the Des Moines Capital, two newspapers published in Des Moines, Iowa. And when so amended the bill do pass.

L. B. CRIST,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Ames, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate File No. 272, a bill for an act to amend section one thousand six hundred fifty-seven-d (1657-d) and section one thousand six hundred fifty-seven-e (1657-e) of the Supplement to the Code of Iowa, 1907, relative to the election of district directors of the state board of agriculture, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. AMES,
Chairman.

Ordered passed on file.

Senator Francis, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 517, a bill for an act to authorize the governor to direct the attorney general to appear in certain cases, for and on behalf of the counties, cities, towns, and other municipalities and officers and contractors thereof and to employ additional legal assistance in such cases and providing for payment thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Senator Francis moved that the bill be referred to committee on Appropriations.

Adopted.

So the bill was referred to committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 293, a bill for an act to amend sections 9 and 13 of chapter 118 of the laws of the Thirty-third General Assembly, relating to actions involving drainage districts, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 64, a bill for an act to amend section 3340 of the Code, relative to the owner of claims against estates, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 439, a bill for an act to authorize the appointment of special agents to aid in the detection, identification, capture and conviction of criminals, delinquent and defectives, and to require the cooperation and assistance of all sheriffs, police, and peace officers and all other officers charged with the care, supervision and jurisdiction over criminals, delinquents or defectives, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 366, a bill for an act to amend section 3447 of the Code, relating to the limitation of actions to set aside wills, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out all after the enacting clause and inserting the following:

Section 1. That section three thousand four hundred forty-seven of the Code is hereby amended by adding to paragraph three of said section the following:

"Provided that after a will is probated the executor may cause personal service of an original notice to be made on any person interested, which shall contain the name of decedent, the date of his death, the court in which and the date on which the will was probated, together with a copy of said will; said notice shall be served in the same manner as original notices and no action shall be instituted by any person so served after one year from date of service"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 459, a bill for an act to amend section 1423 of the Code, relating to tax sales of real estate and giving to counties the right to purchase real estate at tax sales and to own and dispose of same, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 356, a bill for an act to amend section 4823 of the Code, relating to malicious mischief and trespass, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 317, a bill for an act to amend the law as it appears in section 261, Supplement to the Code, 1907, relating to removal of causes in superior courts, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 250, a bill for an act to amend the law as it appears in section 1272, Supplement to the Code, 1907, relating to the filling of vacancies in offices, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File no. 179, a bill for an act authorizing cities to enact ordinances regulating the construction, alteration, enlargement or repair of buildings and structures, and to provide for the enforcement thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 50, a bill for an act to amend section 5652 of the Code, relating to hard labor by persons confined in jails, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 169, a bill for an act to change the burden of proof where contributory negligence is relied on as a defense and to provide rules of procedure in such cases, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Senator Smith, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate File No. 170, a bill for an act relating to the practice of dentistry and to repeal section twenty-six hundred-i (2600-i) and twenty-six hundred-j (2600-j) of the Supplement of the Code, 1907, beg leave to report they have had the same under consideration and recommend the same do pass.

P. M. JEWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Health, to whom was re-House File No. 143, a bill for an act to repeal the law as it appears in section twenty-five hundred sixty-four (2564) of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the state board of health, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend section 2 by inserting in the second line thereof between the words "made" and "for" near the middle of the line the words "the state board of health"; and when so amended the bill do pass.

P. M. JEWELL,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the Board of Railroad Commissions to "Public Utilities Commission;" enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the Board of Railroad Commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities.

Senator Chase offered the following amendment and moved its adoption:

Insert the word "other" before the word "occupation" in 7th line of section 7, of the printed substitute, and strike out all after up to the word "or" in the 8th line thereof as it appears before the word "serve."

Lost.

Senator Chase offered the following amendment and moved its adoption:

Amend by adding after the word "utilities" in 11th line of printed substitute, the following: "Nor any person who has served as officer or attorney of any such utility."

Senator Allen offered the following amendment to the amendment offered by Senator Chase:

"Insert after the word "served" and before the word "as" in the first part of said amendment the words "five years."

Amendment to the amendment was lost.

On the adoption of the amendment offered by Senator Chase, a roll call was demanded.

Those favoring the amendment were:

Allen, Chase, Clarkson, Crow, Doran, Farr, Garrett, Neal, Quigley, Ream, Sheean, Spaulding, Sullivan, White, Wilson of Clinton —15.

The nays were:

Ames, Balkema, Balluff, Boe, Cowles, Crist, Darrah, DeWolf, Dunnegan, Fellows, Francis, Gillette, Hageman, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Nye, Robinson, Savage, Smith, Taylor, Webber, Wilson of Appanoose—30.

Absent or not voting:

Arney, Jewell, Perkins, Schrup, Thomas—5.

So the amendment was lost.

Senator Chase offered the following amendment and moved its adoption:

"By adding after the word "service" in line 15 as it appears in printed substitute "nor shall he receive any gift or favor of any kind from any public utility or officer thereof."

Senator Kimball offered the following amendment:

"I move to amend the amendment as amended by striking out all but that portion which reads as follows:

By inserting after the word "service" and before "nothing" in the 15th line of said section 7, the following: "nor shall he receive any gift or favor of any kind from any public utility or officer thereof."

Amendment withdrawn.

Senator Kimball offered the following amendment to the amendment offered by Senator Chase and moved its adoption:

"I move to amend the amendment by inserting after the word "gift" the words "discrimination in service."

Adopted.

The amendment of Senator Chase as amended was adopted.

Senator Sullivan offered the following amendment and moved its adoption:

I move to amend section seven of the bill by adding at the end thereof, the following: No person shall serve as such commissioner who has served as an officer, agent or attorney of any public utility.

Senator DeWolf rose to a point of order that the amendment offered by Senator Sullivan was identical with one that had already been offered.

President ruled the point of order not well taken.

Senator Allen offered the following amendment to the amendment offered by Senator Sullivan and moved its adoption:

"Amend the amendment by adding the words "within five years," at the end of said amendment.

On the adoption of the amendment, a roll call was demanded.

Those favoring the amendment were:

Allen, Chase, Clarkson, Doran, Farr, Garrett, Gillette, Kimball, Mattes, Neal, Quigley, Ream, Robinson, Sheean, Spaulding, Sullivan, White—17.

The nays were:

Ames, Balkema, Balluff, Boe, Cowles, Crist, Crow, Darrah, DeWolf, Dunnegan, Fellows, Francis, Hagemann, Heald, Hilsinger, Jones, Larrabee Legel, McColl, Nye, Savage, Smith, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—27.

Absent or not voting:

Arney, Jewell, Malmberg, McManus, Perkins, Schrup—6.

So the amendment to the amendment was lost.

Senator Clarkson offered the following amendment to the amendment offered by Senator Sullivan:

Amend the amendment by adding the following: "Within one year preceding his appointment."

Adopted.

On the adoption of the amendment of Senator Sullivan as amended a roll call was demanded.

Those favoring the adoption of the amendment were:

Allen, Arney, Chase, Clarkson, Crow, Darrah, Doran, Farr, Fellows, Garrett, Gillette, Malmberg, Mattes McManus, Neal, Nye, Quigley, Ream, Robinson, Sheean, Spaulding, Sullivan, Taylor—23.

The nays were:

Ames, Balkema, Balluff, Cowles, Crist, DeWolf, Dunnegan, Francis, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Savage, Smith, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—22.

Absent or not voting:

Boe, Jewell, McColl, Perkins, Schrup—5.

So the amendment was adopted.

Senator Darrah was called to the chair at 11:35.

President resumed the chair at 11:40.

Senator Francis offered the following amendment and moved its adoption:

"I move to amend section 16 on page 11 by adding thereto "provided, however, that in all proceedings brought hereunder by the municipality, such municipality may prosecute the same by its attorneys."

Adopted.

Senator Chase offered the following amendment and moved its adoption:

Amend section 16 by striking out the words "Commerce Counsel" wherever it occurs in section 16, and substituting the words "attorney general" in lieu thereof.

Lost.

Senator Francis moved that the Senate do now adjourn until 1 P. M., today.

Carried.

Senate adjournment.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1 o'clock P. M.

President Harding presiding.

Senator Thomas asked unanimous consent that the consideration of Senate File No. 1 immediately follow the consideration of Senate File No. 306.

Consent granted.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the Board of Railroad Commissioners to "Public Utilities Commission;" enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the board of Railroad Commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities.

Senator Larrabee offered the following amendment and moved its adoption:

"I move to amend section 26 by striking from the last part of said section the words, "and to such persons being officers, employes or pensioners of such public utility."

Adopted.

Senator Farr offered the following amendment and moved its adoption:

"I move to amend by striking out lines 8 and 9 of section 26."

Adopted.

Senator Francis offered the following amendment and moved its adoption:

I move to amend section 32 by striking out all after the word "authorized" in the top line of the section on page 20, and insert in lieu thereof the following:

"To determine to what extent, if any such utility may have the benefit of the economies, efficiencies and improvements, and to what extent, if any, such economies, efficiencies and improvements shall inure to the benefit of the public in a reduction of rates and charges for service.

Adopted.

Senator Kimball offered the following amendment and moved its adoption:

"I move to amend by adding to the end of sub-division two (2), section thirty-two (32), page 20, the following:

"But such portion of such profits shall not exceed one half thereof."

Lost.

Senator Chase offered the following amendment and moved its adoption:

"Amend sub-division (b), section 33, as follows:

Substitute for the words "permit" in the 9th line of said page the word "make" and strike from line ten on said page the words "to be made."

Amend sub-division (c) of said section as follows:

"Substitute the word "make" for the word "permit" in line thirty-three, and strike out of line thirty-four the words "to be made" and the words "to be furnished," and insert in said line between the words "and" and "telephone" near the center of said line the word "furnished."

Amend sub-division (c) of section 33, by substituting the word "require" for the word "permit" in the 23rd line on page 20.

Adopted.

Senator Kimball offered the following amendment and moved its adoption:

"I move to amend section thirty-four by striking from line forty the words "the sum of" and insert in lieu thereof the words "not to exceed the sum of."

Lost.

Senator Sullivan offered the following amendment and moved its adoption:

Amend paragraph "b" of section 37 by adding the following: "nor to prevent a municipality from constructing, installing and operating a light and power or gas plant, for the purpose of lighting the streets, alleys, parks and public property and buildings and furnishing power for city use and purposes."

Pending.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by substituting for sub-division "d" of section thirty-seven on page 26, as amended the following:

Application may be made to the commission by the city council or board controlling any municipal utility or by ten per cent of the consumers in any municipality by petition in writing requesting an examination into the value, service, improvement, defects or necessities of such municipal plant, whereupon the commission shall make an examination of all of the matters requested and shall advise with and furnish to the said council or board of any

such municipality any information, result of investigation or conclusion reached, found or made by the commission upon such petition or request.

Pending.

Senator Farr offered the following amendment and moved its adoption:

"I move to amend line one (1) of section forty (40) by striking out the words "have the power to."

Lost.

Senator Cowles moved that further consideration of the bill be postponed until 10 o'clock tomorrow.

Carried.

The following amendments to Senate File No. 306, were offered:

No. 1, by Kimball:

I move to amend Section 18, subdivision e, by striking out the words "municipal corporation" in line two thereof.

No. 2, by Kimball:

I move to amend the bill by substituting for paragraph three of Section 18 as found on Page 13, the following:

Nothing herein shall be held to apply to municipal corporations or to their boards or commissions rendering or furnishing to the public or for public use for compensation or hire any of the services or supplies described in this section, save and except as hereinafter provided that the commission, shall consult with and advise the councils, boards or commissions of such municipal corporations, and save and except as the method of accounting and keeping accounts of said boards or commissions of such municipal corporations shall be outlined and required by said commission.

No. 3, by Kimball:

I move to amend the bill by striking out the word "municipalities" in line 35 of Section 18, Page 12.

No. 4, by Spaulding:

I move to amend by striking from line 40 of Section 34, on Page 22, the words "one hundred" and substituting therefor the words "twenty-five."

No. 5, by Francis:

Amend Section 40 by adding thereto the following: Provided, however, the powers in this act granted to the commission shall not apply to municipally owned utilities except in so far as such powers have to do requiring annual reports, prescribing uniform system of accounts and requiring the setting aside of a deprecation and maintenance fund, and the hearing and determining complaints specified in Section 37, subdivision (d) of this act.

No. 6, by Sullivan:

Amend Subdivision 4 of Section 41, by striking from said subdivision all after the word "act" in the seventy-fifth (75th) line of said section.

Amend Section 41 by striking out subdivision (5) and inserting in lieu thereof the following: (5) "It is hereby declared necessary in order to promote the public good that every unexpired franchise, license or permit granted by the State subsequent to September 1, A. D. 1873, and every unexpired franchise, license or permit heretofore granted by any municipality to a public utility for the construction, operation or maintenance of any street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerating plant, or telephone line shall be, and it is hereby so altered and amended as to constitute and to be an indeterminate franchise within the meaning of that term as defined in Section two (2) of this act, and subject to all the terms and provisions of this act; and to the provisions that a municipality in which any such public utility plant is situated, may at any time purchase such plant in the manner and upon the terms and conditions provided in this act, and that every such franchise, license or permit shall have the same force and effect as an indeterminate franchise hereafter granted to any such public utilities as in paragraph four (4) of this section provided."

Amend Subdivision 6 of Section, by striking from line eighty-nine (89) the words "or any political or governmental subdivision thereof."

No. 7, by Farr:

I move to amend Section 41 as follows:

No public utility or the owner thereof shall be construed to have been granted or secured any vested right because of the passing of this act.

And no vested right shall hereafter be claimed by any utility company or owners thereof because of the taking effect of this act.

No. 8, by Sullivan:

Amend Section 42 by adding to Division A of Subdivision 2 of the section following:

"A-1. To determine reasonable rates, charges, classifications and schedules for services or supplies rendered and furnished by any public utility, other than a telephone utility, in said municipality. Said determination as to reasonable rates, charges, classifications and schedules shall be made by the council after a public hearing upon due notice granting to all interested parties ample opportunity to be heard. If during the progress of said hearing and before final submission thereof, the public utilities interested shall file an application therefor, the council shall immediately petition the commission to establish the fair value of the public utility plant involved in said proceedings. The commission shall proceed at once to ascertain said value in the same manner as provided herein for valuation in case of a proposed purchase by a municipality, and shall send a certified statement to the said council of the value so found which shall be conclusive evidence of the fair value of said property, and the council shall determine the rates, charges, classifications or schedules based upon said value. Any utility dissatisfied with the rules and charges so fixed by the council may appeal to the commission and the commission shall have power to review the action of the council.

No. 9, by Chase:

I move to amend by adding "E" to Section 43:

(E) If the municipality desires at any time to terminate any indeterminate franchise, it shall have a right, after the property has been appraised and condemned as herein provided, to designate a purchaser at the price and on the terms and conditions determined by the commission, and on the payment of the purchase price, the purchaser shall take over the said plant at once, subject to the legal rights of such utility. Nothing in this act shall in any way affect the right of the State to modify or terminate the franchises granted hereunder, either by a proper action on the relation of the State, for persistent violations of this act or other legal grounds or by subsequent legislation. Nor shall anything in this act prevent the State from controlling the franchises granted hereunder and terminating the same at any time and nothing herein shall be deemed to create a contract, as far as such franchises are concerned, with any public utility. The right to any and all such franchises is hereby expressly reserved to the State."

No. 10, by Sullivan:

Amend Subdivision 1 of Section 43 as amended, by striking out all said subdivisions amended and inserting the following:

Any municipality in this State shall have the power subject to the provisions of this act to construct, acquire and operate, lease, manage or control a street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerating plant, wharf, ferry, toll bridge, telephone line or system, and in accordance with the provisions of this act to purchase by agreement from any public utility owning, or to acquire in the manner hereinafter set forth, any such street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerating plant, warehouse, wharf, ferry, toll bridge, telephone line or system then being operated in or serving such municipality. To carry out the provisions of this section, any such municipality shall have power and authority to incur an indebtedness in the purchase or construction of any such public utility in any sum not in excess of five per centum of the actual value of the taxable property of said municipality as shown by the last preceding assessment roll, and such municipalities may issue bonds or other evidence of indebtedness therefor. Any such municipality shall in addition to the above powers have the power to buy any such public utility subject to any incumbrance thereon in the form of outstanding mortgages, bonds, or other evidences of indebtedness, and to pledge the utility so purchased, all improvements, extensions or additions thereto, and the surplus earnings thereof to the payment of the purchase price of said utility. Provided, however, that no part of the funds of such city raised by general taxation shall be applied upon the purchase price of an utility purchased subject to outstanding indebtedness. They shall also have the power to lease, transfer, mortgage or otherwise encumber any municipally owned plant or any part thereof to secure the purchase price of said plant or to secure funds with which to make improvements, extensions or additions thereto or to apply upon the purchase price of other public utilities or utility, as the case may be, upon approval by a vote of the people in the manner as provided by law for the purchase of such utility."

No. 11, by Sullivan:

Amend Section 61 by adding thereto: "Nothing, however, in this section or any other section of this bill shall be held to repeal any of the provisions of Section 1619 of the Code and all of the provisions of said section pertaining to franchises shall be held to apply to the franchises granted under the provisions of this act to the same extent and with the same force and effect as though said section was written into this act."

No. 12, by Sullivan:

Amend Section 62 by adding to said section the following: "Nor shall the provisions of this or any other section of this act be held to effect pending litigation."

I move to strike out section 40 and substitute the following:

No. 13, by Allen:

Section 40. The commission shall have the power to investigate and ascertain the value of the property of every public utility in this state and every fact which in its judgment has, or may have, any bearing upon such value.

Separate valuations may be made for the different purposes of accounting and capitalization, public purchase and rate making.

Before final determination of the value of the property of any public utility, in a proceeding involving the rates and charges of such public utility, or the public purchase of its property, or the issuance of its stocks, bonds, notes, or other evidence of indebtedness, the commission shall after not less than thirty (30) days' notice in writing to the public utility concerned, hold a public hearing as to such valuation, at which all parties to such proceedings shall be entitled to be heard, to be represented by counsel, to introduce evidence at such hearing, and to have process to enforce the attendance of witnesses.

Any order of the commission fixing the value of the property of a public utility for any of the purposes herein mentioned shall include findings of fact as to all matters bearing upon such value and which have been investigated by the commission or concerning which evidence may have been adduced, and shall also state the bases, standards, or elements of value considered by the commission in arriving at such value. In such investigation the commission must ascertain the original investment so far as it is possible to do so.

The commission may from time to time cause further hearings and investigations to be had for the purpose of making a revaluation of the property of any public utility by reason of betterments, improvements, additions or extensions to such property subsequent to any original order of valuation of its property hereunder, or by any reason of any other matter which may change, modify, or affect any findings of fact made in such original order; and may at any time after due hearing, make any finding of fact supplementary to those made in any previous order.

Every such supplementary hearing shall be had upon the same notice and be conducted in the same manner, and the order therein shall have the same force and effect, as is provided in this section in the case of an original hearing and order with respect to valuation.

The finding of facts of any order made at such supplemental hearing shall be considered in connection with and as supplementary thereto or amendatory thereof, as the case may be.

In making any valuation under this section, the commission shall have access to and use of any books, documents, or records in the possession of any department or board of the state or of any municipality or other political or governmental subdivision of the state; and may resort to any other source of information available.

In all computations relative to reasonable rates of charge for services or supplies, the value of the plant for rate making purposes, the operating expenses, the earnings, etc., of a public utility, the commission shall make proper allowances for depreciation, sufficient to replace the property and the parts thereof, but it shall make no allowance for an amortization fund, in those cases in which the aforesaid depreciation is allowed.

In valuations for rate making purposes, no franchise right or privilege granted to a public utility by the state, or by a political subdivision thereof, shall be appraised, fixed, or considered, at any greater sum or value than the sum paid therefor into the public treasury of the state, or of the political subdivision granting the same.

(2) All the finding of the commission as to the values of properties subject to their jurisdiction, when properly certified under the seal of the commission, shall be admissable in evidence in any action, proceeding or hearing, before the commission or any court, in which the commission, the state or any office, department or institution thereof, or any county, municipality or other body politic and the public utility affected may be interested when arising under the provisions of this act or amendments thereto, and such findings, when so introduced, shall be conclusive evidence of the facts therein stated, as of the date therein stated, under conditions then existing, and such facts can only be controverted by showing a subsequent change in conditions bearing upon the facts therein determined; provided, however, said valuations shall be subject to review in the supreme court under the same terms and conditions as are provided in sections ....., ... and ..... of this act. The commission may, from time to time, cause further hearings and investigations to be had for the purpose of making revaluations or ascertaining the values of any betterments, improvements, additions or extensions made by any public utility subsequent to any prior hearing or investigation and may examine into all matters which may change, modify or affect any finding of fact previously made, and may at such time make findings of fact supplementary to those theretofore made. Such hearings shall be had upon the same notice and be conducted in the same manner, and the findings so made shall have the same force and effect as is provided herein for such original notice, hearing and findings; provided, that such findings made at such supplemental hearings or investigations shall be considered in connection with and as a part

of the original findings, except in so far as such supplemental findings shall change or modify the findings made at the original hearing or investigation.

All the powers of the executive council of the State of Iowa as now provided by law, to value the property of public utilities for the purpose of taxation are hereby transferred to the commission, and all the provisions of the law relating to the filing of reports and statements by said public utilities with said executive council for the purpose of assisting them to value said property are hereby repealed. The commission shall send certified copies of said values to the executive council or tax commission, or any other state tribunal having jurisdiction over the state taxes and assessable values of said properties, at such dates as may be required by said executive council, tax commission, or other tribunal, providing the commission can, with reasonable diligence, furnish the same on such dates. The said values as found by the public service commission shall be conclusive evidence before the executive council, tax commission, or other tribunal, and in all courts of the state, of the assessable values of said properties for taxation purposes, subject to the constitutional rights of the said public utilities. Accompanying the aforesaid certified statement of assessable values, the commission shall send an itemized statement of all the computations entering into the said findings of value, together with a detailed description of all the methods used and the principles upon which such values are based.

In determining the said values the commission shall consider all the factors now prescribed by statute, or which shall be deemed by it, as proper for consideration in determining values for taxation purposes, and shall give such weight to said factors as in the judgment of the members of said commission is fair and just.

The value of all franchises, right or privileges granted to a public utility by the state, or by a political subdivision thereof, shall be appraised and included in valuations made by the commission for taxation purposes.

Senator Webber moved that 200 extra copies of Senate File No. 401 be printed.

Carried.

The following communication was received from the governor, read, and ordered printed in the Journal:

STATE OF IOWA.

EXECUTIVE DEPARTMENT.

To the Members of the Thirty-fifth General Assembly:

The day for your final adjournment is not very far distant. Soon your work will pass into history. You have had before you, perhaps,

more great subjects for consideration than any other legislature of the State that has preceded you. On practically all of them, however, you have had the help of the legislation and experience of other States. If you have been confronted by matters of unusually great importance your obligation to the State is correspondingly great. New conditions and new relations face the people of these States. Legislation must be wisely adapted to the new order. Not many years ago Public Utilities Acts, Workmen's Compensation Acts, Prison Reform, Permanent Roads, the Short Ballot, the Reorganization of our Rural Schools and many other subjects resulting from the best thought applied to the new day were not thought of. Now the development of human affairs has forced them to the front and now they are the demand of human welfare, and this demand is absolutely unyielding and resistless. Human progress cannot be halted. It may be stayed a while as it always has been in the realms of science, of education, of legislation, but the better day ever comes on apace sometimes to the dismay and confusion of him who opposed. Legislation upon these subjects to meet the new conditions and promote the common good I believe is just as certain as anything can be that is absolutely inevitable. This is true also as to the reform in the administration of our tax laws. Our law upon this subject is inequitable and unjust in its operation. It has been condemned by every state treasurer who has considered the matter during the last twenty-five years. It has been denounced by every commission that has ever carefully and thoroughly considered the subject. There is not a political economist in the United States who has given years of time to the study of methods and systems of taxation who does not say that our system is a failure and that it can never be otherwise. It is denounced as a failure in every State in the Union where it has been tried and State after State has abandoned it. It is not that people should be taxed more but that they should be taxed justly, and that the public burden on the individuals should be in proportion to his ability to bear it. It is impossible that there can be any rational objection to a system that taxes every man upon the basis of actual value. A system is proposed that will bring about that result so far as possible, **in fact.** No man can have an advantage. It is right and therefore deserves support.

I have said these measures will all be recognized and translated into law in this State. They will be. Then why should the day be delayed? If it is, members of this legislature will see the time when it will be thought extremely strange that the Thirty-fifth General Assembly refused legislation on any of these important matters. It will, however, be but a repetition of the history of legislation. Looking back over the years one marvels that there should have been stubborn opposition to measures now recognized as absolutely just and essential to the common good. So will it be if this legislature refuses its great opportunities. The opportunity is yours, the great distinction should be yours. This legislature ought not to adjourn without legislation on these subjects through just and workable measures. These things are right and are demanded by present conditions. There can

be no higher reason for doing a thing than because it is right. In addition to this reason, the first and best of all reasons, there is the further reason as to practically all of these matters that the people have demanded the legislation proposed. Every one of us was elected on a platform voicing this demand. Every one of us entered into a covenant with the people of this State when we were elected. We should keep this covenant and not betray it. There can be no defense for a willful breach of faith. There should be consecration to the public welfare and selfish and mercenary interests should not be allowed to deceive and mislead. We have here a section of the age—long fight for progress, for better things, for the good of all the people. It is a stand for the betterment of human conditions in Iowa. Day after day I have had conferences with you, singly and by twos and threes on these subjects and for more than six weeks very many, many times you have, on invitation, come to my office in numbers from eight to ten more than thirty while we discussed these and other matters. I have felt, however, that I wanted to submit a word to you as a whole. I do not see how your record for hard work, for determined conscientious effort could be surpassed. Personally I have never seen it equalled You have been criticised, as if legislation on these great questions could be properly shaped and moulded in a day. The work of shaping and moulding has now practically been done and it only remains for the fruits of it, on these great subjects, to be crystalized into law—it only remains for you to take your place in the history of the State. It will be an honored place if you redeem every pledge and hope of the people and keep in step with the best thought of the time on the subjects with which you have had to deal. I believe you will.

I desire to submit a word with reference to the extension of the Capitol Grounds. It is the need of the present—it is the imperative demand of the future. It is a matter of the very best business policy. If looked at only as an investment it would be a remarkably good one. By extending the payment for the grounds over a period of ten years it would bring no burden at all upon the people. Never again can the purchase of ground be so advantageously made as now. Iowa should do business as competent, successful business men do. Advantage should be taken of the time and the opportunity. Iowa should announce that she is of age and full-grown. She should step out of the old conditions that hamper and restrain her into the new. The legislature should be unafraid. The people will sustain you. When the work is done they will ever refer to you as the legislature that was far-seeing and wise enough to extend the Capitol Grounds, that gave the Public Utilities Bill, the Workmen's Compensation Act, Prison Reform, provided for permanent road building, put our rural schools on the road to great betterment, reformed our tax laws and did other things of great value, a great record, and unparalleled. What man is there of you that will lose this the greatest opportunity of his life to render a great public service. Listen not to the voice of selfishness. Tolerate not the 'invisible" man. For more than ten years practically all legislation and all political agitation in this country has been against

human selfishness. Let it proceed. The rights of all men must be put above the selfishness of a few men. Go forward. Your duty, as it seems to me, is plain.

Done at Des Moines, Iowa, March 26, 1913.

G. W. CLARKE,
Governor.

Senator Kimball introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

Be it resolved, by the Senate the House concurring that,

WHEREAS: Iowa sent to the south many noble men to battle for an undivided nation; and,

WHEREAS: Her sons today are not unmindful of the great sacrifice and courageous service of her warriors and desire to express to her honored veterans who still linger with them that they are remembered with most patriotic and kindly sentiment; and,

WHEREAS: Iowa has the proud distinction of having living within her borders, among her veterans, one of the two remaining major generals, and the only living department and army commander of the federal army, war of the rebellion; and,

WHEREAS: This distinguished officer, Major General Grenville M. Dodge, enlisted from Iowa at the beginning of the war, and was steadily in the service to the end; led his commands without defeat and won repeated victories; was thrice wounded and regularly and justly promoted; and,

WHEREAS: General Dodge performed great service in the war in building railroads, military works and fortifications in addition to leading his command, and was afterwards instrumental in bringing the Indian tribes to peace under treaties, and for which he was tendered the thanks of the legislature of this state; and,

WHEREAS: After the war he began where he had left off in the valuable work of railroad engineering and assisted in connecting the Atlantic and Pacific by rail, and has gilded with success by his splendid manhood whatever his hand has touched, until now full of years and of honors, he has left the greater activities to live at Council Bluffs, where he has always claimed his home since young manhood; and,

WHEREAS: He is still active in mind and body, proud of his state, deeply interested in her welfare; devoted to his country and is Iowa's grandest patriot; and,

WHEREAS: The history of our state will be made richer; patriotic sentiment enhanced and our veterans honored by an exchange of greetings between Iowa and her honored veterans. Now, therefore, be it resolved;

That Iowa, through her general assembly, does hereby send greetings to her distinguished veteran, General Grenville M. Dodge, and hereby invites him to address this general assembly in joint convention convened at such time as shall be agreeable to him, and that a suitable joint committee be appointed to extend to him the courtesies intended by this resolution.

Unanimous consent was given for consideration of the resolution.

Senator Kimball moved that the resolution be adopted.

Adopted.

INTRODUCTION OF BILLS.

By Senator Chase, Senate File No. 500, a bill for an act to repeal the law as it appears in chapter ninety-four (94) acts of the Thirty-fourth (34) General Assembly, and to enact a substitute therefor relating to the duties and powers of the commerce counsel.

Read first and second time and referred to committee on Judiciary.

By Senator Kimball, Senate File No. 501, a bill for an act regulating the appointment and defining the powers and duties of the state board of education relative to the provision for courses of study for the state institutions under their control and amending sections one (1) and four (4), chapter 170, of the laws of the Thirty-third General Assembly and relating to the same subject.

Read first and second time and referred to committee on Educational Institutions.

By Senator Darrah, Senate File No. 502, a bill for an act to amend the law relating to primary elections as the same appears in section ten hundred eighty-seven-a-1 (1087-a-1), ten hundred eighty-seven-a-ten (1087-a-10), ten hundred eighty-seven-a-twenty-five (1087-a-25), ten hundred eighty-seven-a-twenty-six (1087-

a-26), ten hundred eighty-seven-a-twenty-seven (1087-a-27) and ten hundred eighty-seven-a-thirty (1087-a-30), supplement to the code, 1907, as amended by chapter sixty-nine (69), acts of the Thirty-third General Assembly.

Read first and second time and referred to committee on Elections.

By Senator Darrah, Senate File No. 503, a bill for an act to amend the law relaing to the practice of medicine as the same appears in section twenty-five hundred seventy-six (2576) supplement to the code, 1907.

Read first and second time and referred to committee on Educational Institutions.

By Senator Darrah, Senate File No. 504, a bill for an act to amend the law relating to the form of ballot to be used in the general election as the same appears in section eleven hundred six (1106) of the supplement to the code, 1907.

Read first and second time and referred to committee on Elections.

By Senator Robinson, Senate File No. 505, a bill for an act to amend section sixteen hundred sixty (1660) of the supplement to the code, 1907, to aid county agricultural societies.

Read first and second time and referred to committee on Agriculture.

Senator Sullivan introduced the following concurrent resolution:

SENATE CONCUTTENT RESOLUTION.

Be it resolved by the Senate, the House concurring, that the committee having the reunion of Iowa soldiers at their home coming in charge, be allowed the use of the Senate chamber, and the House of Representatives, also committee rooms not at the time occupied, during the week of June 9th to 14th, 1913. Said chambers and rooms to be used for regimental reunions and committee purposes.

By unanimous consent the resolution was given consideration. tion.

Senator Sullivan moved the adoption of the resolution.

Adopted.

REPORTS OF COMMITTEES.

Senator Francis, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 456, a bill for an act authorizing cities and towns, including those acting under special charter, and cities under the commission form of government, to adopt a building code and to provide penalties for violation thereof, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By inserting after the word "establishing" in the fifth line of section 1, the word "reasonable" and by striking from the sixth line of section 1 the word "repair" and the comma (,) after said word, and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT:—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled, House File No. 3, a bill for an act to amend section seven hundred thirty-two (732) of the supplement to the code, 1907, in relation to library funds and transfer thereof.

Also:

House File No. 138, a bill for an act to legalize certain warrants of the city of Onawa, Iowa.

Also:

House File No. 247, a bill for an act to declare certain diseases contagious and infectious, and to provide rules and regulations for the control of the same, and to fix punishment for violation thereof.

Also:

House File No. 336, a bill for an act authorizing the issue of a patent to the southeast quarter (se¼) of the southeast quarter (se¼) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M.

Also:

House File No. 337, a bill for an act authorizing the issue of a patent to the northeast quarter (ne¼) of the southeast quarter (se¼) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M.

Also:

House File No. 343, a bill for an act to legalize an election held in the town of Modale, Iowa, March 25th, 1912, in electing councilmen: and to legalize the acts of the council of said town in filling vacancies in said council.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Report adopted.

Journal of March 25th, was taken up, corrected and approved.

Senator Allen 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 27, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. Guy J. Fansher, Leon, Iowa.

PETITIONS AND MEMORIALS.

Senator Clarkson presented a remonstrance of citizens of Melrose, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Clarkson presented a remonstrance of citizens of Marion county protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Boe presented a remonstrance of citizens of Forest City and Northwood, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Nye presented a remonstrance of citizens of Taylor county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Thomas presented a petition of citizens of Union county favoring House File No. 484 in regard to fixing reasonable service by railroads.

Referred to committee on Railroads.

Senator Jewell presented a remonstrance of citizens of Winneshiek county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Taylor presented a petition of citizens of Van Buren county favoring House File No. 484.

Referred to committee on Railroads.

Senator Gillette presented a petition of citizens of Cherokee county favoring House File No. 484.

Referred to committee on Railroads.

Senator Boe presented a remonstrance of citizens of Winnebago county protesting against House File No. 262.

Referred to committee on Schools.

REPORT OF COMMITTEE.

Senator Neal, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate File No. 181, a bill for an act to repeal section twenty-one (21) and to amend section twenty-four (24) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly, known as "The Military Code of Iowa," beg leave to report they have had the same under consideration and recommend the same do pass.

S. W. NEAL,
Chairman.

Ordered passed on file.

Senator Taylor moved that the bill be referred to committee on Appropriations.

Carried.

So the bill was referred to 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 passed the following bill in which the concurrence of the Senate is asked:

House File No. 108, a bill for an act to prohibit the sale, loaning, giving away or carrying of certain dangerous weapons, to prevent the car-

rying of concealed weapons, except in certain specified cases when a license is issued therefor, to provide punishment for the violation hereof.

A. C. GUSTAFSON,
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. 423, a bill for an act to amend the law as it appears in section 1758-a of the Supplement to the Code, 1907, relating to insurance policy forms.

A. C. GUSTAFSON,
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. 428, a bill for an act to amend the law as it appears in section 2578-b of the Supplement to the Code, 1907, relating to trial upon appeal to the district court from decision of the state board of medical examiners revoking physicians' licenses.

A. C. GUSTAFSON,
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. 439, a bill for an act to create a state highway commission and to provide for the appointment, term of office, etc., of such commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure of carrying on such improvements, etc., to fix the rights of parties contracting with reference to such work, to repeal section 2674-f of the Supplement to the Code, 1907, relating to highway commission and to amend section 3 of chapter 24 of the acts of the Thirty-third General Assembly, relating to the county road building fund.

A. C. GUSTAFSON,
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. 236, a bill for an act legalizing the adoption, signing, recording and publication of the ordinances of the city of Bedford, Iowa.

A. C. GUSTAFSON,
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. 85, a bill for an act to repeal section five thousand twenty-eight-b (5028-b) of the Supplement to the Code, 1907, and chapter two hundred twenty-two (222) laws of the Thirty-third General Assembly amendatory thereof, and to enact a substitute therefor, relating to unfair discrimination in any commodity of commerce between different sections, localities, communities, cities or towns.

A. C. GUSTAFSON,
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. 132, a bill for an act to provide a state aid to consolidated schools equipped with two or more rooms and making an appropriation therefor.

A. C. GUSTAFSON,
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. 385, a bill for an act to legalize an ordinance of the incorporated town of Sheldahl, Iowa, granting a franchise to Boone electric company, to erect, maintain and operate an electric power plant in said town.

A. C. GUSTAFSON,
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. 66, a bill for an act to amend the law as it appears in sections 1989-a19, 1989-a26,, 1989-a27 and 1989-a38 of the Supplement to the Code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-fourth General Assembly, and chapter 120 of the acts of the Thirty-third General Assembly, relating to assessments for benefits to roads, streets, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House requests the return of House File No. 316, a bill for an act to legalize the adoption of certain propositions at an election of the county of Wapello, state of Iowa, with the effect of authorizing the board of supervisors to purchase land for an addition to the county home farm, etc., etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists on its amendments to Senate substitute for Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the Code, relating to investments of money and to enact a substitute therefor.

The Speaker appoints on the part of the House, as conference committee on substitute for Senate File No. 13: Griggs of Scott, Scholz of Clayton, Kingland of Winnebago, Ring of Linn.

A. C. GUSTAFSON,
Chief Clerk.

Senator Smith moved that House File No. 143 be taken from the calendar and referred to the committee on Appropriations.

Carried.

INTRODUCTION OF BILLS.

By Senator Cowles, Senate File No. 506, a bill for an act to amend section one (1) of chapter seventy-nine (79) of the laws of the Thirty-fourth General Assembly relating to co-insurance clauses in policies of fire insurance companies.

Read first and second time and referred to committee on Insurance.

By committee on Agriculture, Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa State College of Agriculture and Mechanic Arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing of hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale, or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151) of the acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) of the acts of the Thirty-fourth General Assembly.

Read first and second time and referred to committee on Appppropriations.

REPORTS OF COMMITTEE.

Senator Larrabee, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads to whom was referred Senate File No. 262, a bill for an act to amend section two thousand seventeen (2017) of the Code, relating to the right of railway companies to raise or lower highways where they are crossed by a railway, and giving the board of railroad commissioners authority to order undergrade or overhead crossings, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 262.

A BILL for an Act to Amend Section Two Thousand Seventeen (2017 of the Code, Relating to the Right of Railroad Companies to Raise or Lower Highways Where They are Crossed by Railroads, and Giving the Board of Railroad Commissioners Authority to Order or Change Railroad Crossings.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section two thousand seventeen (2017) of the Code is hereby repealed, and in lieu thereof the following is enacted as a substitute:

"Any such corporation may raise or lower any turnpike, plank road, or other road, for the purpose of having its railroad cross over or under the same, and in such cases, such corporation shall put such road, as soon as may be, in as good repair and condition as before such alteration. When a new railroad crosses an established highway, or when it is desired to locate a new highway across an established railroad, or when it is desired by any citizen of or the board of supervisors of any county or by any railroad company operating a railroad in this state, for the safety or convenience of the public using such highway, to change, alter, relocate or vacate an established highway, where same crosses a railroad, or to change, alter or relocate the crossing, the board of railroad commissioners of this state, upon application of either the board of supervisors or of twenty-five (25) freeholders of said county, or the railroad company interested, are authorized and empowered, after hearing upon reasonable notice, to determine the necessity for such crossing, location thereof, whether the same shall be at grade or otherwise, the manner in which the same shall be constructed, maintained, or changed, division of expense thereof, and generally to make such orders in respect thereto as are equitable and just, including the right to require condemnation proceedings to be instituted by the board of supervisors as may be necessary to carry out such order; providing, however, that any portion of such expense that is borne by any city, town, county, state, or other public body, shall forever be considered as held in trust by said railroad company receiving same, and no part of the same shall be considered a part of the value of the properties of said railroad company upon which it is entitled to receive a return"; and when so amended the bill do pass.

FREDERIC LARRABEE,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 267, a bill for an act to amend section two thousand seventy-seven "a" (2077-A) of the Supplement to the Code, 1907, relating to the posting of bulletins at railway stations, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 267.

A BILL for An Act to Amend Section Two Thousand Seventy-seven-a (2077-a), Supplement to the Code, 1907, Relating to the Posting of Bulletins at Railway Stations.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That chapter one hundred twenty-five (125) of the Thirty-third General Assembly amending section two thousand seventy-seven-a (2077-a) Supplement to the Code, 1907, be amended by adding the following words to the last sentence of said section: "And at all stations where a telegraph operator is maintained, such bulletin shall indicate whether said trains are late or on time, and, if late, the approximate number of minutes late. If a train is less than ten minutes late, the same shall be considered on time for the purposes of this act."

Sec. 2. Any agent or telegraph operator of such railroad corporation who shall violate the provisions of the preceding section shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than five nor more than fifty dollars, and when so amended the bill do pass.

FREDERIC LARRABEE,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 27, a bill for an act to require all railroad companies owning railroads in the state of Iowa, of less than four (4) feet, eight and one-half (8½) inches gauge, to adopt such gauge within such reasonable time as may be fixed by the railroad commissioners, beg leave to report they have had the same under consideration and recommend the same be amended by adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 27.

A BILL for An Act to Require all Railroad Companies Owning Railroads in the State of Iowa, of Less than Four (4) Feet, Eight and One-half (8½) Inches Gauge, to Adopt Such Gauge within Such Reasonable Time as May Be Fixed by the Railroad Commissioners.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the railroad commissioners of Iowa are charged with the duty, within one year from the passage of this act, to inspect and

examine all railroad lines or branches that are of a gauge less than four (4) feet eight and one-half (8½) inches in width of track, and if, considering the interest of the public and the railroad traffic tributary to that line or branch road, and the interest of the railway company then owning the same, the physical or natural difficulties to be encountered and the expense that would be involved or incurred in changing the track to a gauge of four (4) feet eight and one-half (8½) inches in width, and making it practical to operate the said line or branch road on that gauge, it appears to be reasonable and just to require the railway company which is the owner to do so, then said commissioners shall enter an order fixing a reasonable time within which said railroad track is to be changed to a gauge of four (4) feet eight and one-half (8½) inches in width. In making such order, if any, said commissioners shall take into consideration the amount and probable life of the rolling stock of such narrow gauged road, and all other facts bearing on the reasonableness of the time to be allowed to make such change of gauge.

Sec. 2. It shall be the duty of the railroad commissioners, within one (1) year after the passage of this act, to examine all the railroads in this state, now in existence, that are less than four (4) feet eight and one-half (8½) inches gauge, and if they find that it is feasible or in their judgment necessary and reasonable to change the gauge of any such railroad to four (4) feet eight and one-half (8½) inches, they shall make their order in writing, fixing such reasonable time within which such gauge shall be changed to that width. In making such order, said commissioners shall take into consideration the amount and probable life of the rolling stock of such narrow gauged road, and all other facts bearing on the reasonableness of the time to be allowed to make such change of gauge, and when so amended the bill do pass.

FREDERIC LARRABEE,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Spaulding called up for consideration the resolution offered on March 26th, relative to the appointment of a committee to investigate the fire protection and needed repair of the capitol and surrounding state buildings.

Senator Spaulding moved the adoption of the resolution.

Carried.

President appointed as such committee, on the part of the Senate, Senators Spaulding and Farr.

The president announced the appointment of Senators Kimball and Neal as a committee on the part of the Senate to extend an invitation to General Grenville M. Dodge to address a joint convention of the Thirty-fifth General Assembly as per joint resolution adopted March 26th.

THIRD READING OF BILLS.

On motion of Senator Savage, House File No. 70, a bill for an act to establish a department of Public Instruction, and to amend section ten hundred and sixty-five (1065) of the supplement of the code, 1907, and to repeal chapter one (1) of title thirteen (13) of the code, and to repeal chapter one (1) of title thirteen (13) of the supplement to the code, 1907, as amended, relative to the office of Superintendent of Public Instruction, and to enact a substitute therefor, and to make the Superintendent of Public Instruction, ex-officio, a member of the State Board of Education, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Unanimous consent was given for the withdrawal of the amendments offered by the committee on Schools.

Senator Savage moved the adoption of the following amendments, offered by the committee on Appropriations:

Amend the title by striking out the "," (comma) and all after the word "therefor" in line seven and insert a "." (period) after the word "therefor."

Amend section 3 by inserting after the ","(comma) in line five the words, "or board of control of state institutions,".

Amend subdivision 3 of section 3 by inserting after the word "of" in second line the words "education, including," and strike out the word "including" in the third line.

Amend sub-division 9 of section 3 by striking out the words "but not oftener than once every four years," in the first and second lines.

Amend section 3 by striking out all of sub-division 10 and by renumbering sub-divisions 11 and 12 as 10 and 11 respectively.

Amend section 7 by inserting after the word "shall" in the first line the words "have qualifications specified in section 2 and shall"; and strike out the words "his duties" in line three of said section 7 and insert in lieu thereof the words "the duties of the office." Also strike out the word

"five" in the sixth line and insert in lieu thereof the word "three." Also strike out all of section 7 following the word "five" in the sixth line.

Amend section 8 by striking out all that follows the word "allowed" in the seventeenth line.

Amend section 9 by inserting the word "and" before the words "attorney general" in line three and insert the word "and" before the word "superintendent" in line five.

Amend by striking out section 10.

Adopted.

Senator Savage 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Jones, Kimball, Larrabee, Legel, Mattes, McColl, McManus, Nye, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Appanoose—38.

The nays were:

Doran—1.

Asent or not voting:

Chase, DeWolf, Farr, Hilsinger, Jewell, Malmberg, Neal, Perkins, Schrup, Sullivan, Wilson of Clinton—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

HOUSE MESSAGES CONSIDERED.

House File No. 108, a bill for an act to prohibit the sale, keeping for sale, loaning, giving away or carrying of certain dangerous weapons, to prevent the carrying of concealed weapons, except in specified cases when a permit is issued therefor; to provide punishment for the violation of the provisions hereof.

Read first and second time and referred to committee on Commerce and Trade.

Senate File No. 423, a bill for an act to amend the law as it appears in section one thousand seven hundred fifty-eight-a (1758-a) of the supplement to the code, 1907, relating to insurance policy forms.

Passed on file.

Senate File No. 428, a bill for an act to amend the law as it appears in section two thousand five hundred seventy-eight-b (2578-b) of the supplement to the code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses.

Passed on file.

Senate File No. 439, a bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employers with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund.

Read first and second time and passed on file.

Senator Balkema moved that the Senate concur in the following House Amendments:

HOUSE AMENDMENTS.

Amend the title of Senate File No. 439 by striking from the seventh line of the printed bill the word "employers" and by inserting in lieu thereof the word "employees" and by adding to said title the following. "and to repeal all acts and parts of acts in conifict with this act."

Also by inserting after the word "commission" and before the word "to" in the third line of the printed title, the following: "to provide for the removal of the members of said commission."

Amend section one (1) of Senate File No. 439 by inserting after the figures "1913" in line nine (9) of said section the following: "Each commissioner shall be subject to removal from office as provided by chapter seventy-seven (77), laws of the Thirty-third General Assembly."

By inserting a "comma" after the word "bridge" in the 6th line of section 8 and adding the word "tile."

By inserting a "comma" after the word "culvert" in the 8th line of section 8 and adding the word "tile."

By inserting between the words "all" and "bridges" in the 11th line of section 8 the following: "lines of tile and size thereof and of all."

By inserting a "comma" after the word "bridge" in the 11th line of section 9 and adding the word "tile."

By inserting after the "comma" following the word "system" in the 20th line of section 9 the words "or for tile and tiling."

By inserting after the "comma" following the word "work" in the 1st line of section 11 the words "tile and tiling."

By changing the period following the word "therewith" in the 3rd line of section 12 of the printed bill to a "comma" and adding the following: "and when said work is completed and approved a duplicate statement of the cost thereof shall be filed at once with the state highway commission by the county auditor.

I move to amend section twelve (12), line seventeen (17) by inserting after the comma (,) following the word "specifications" and before the word "estimates" the following, "estimate of drainage area."

By changing the period following the word "records" in the 20th line of section 12 of the printed bill to a "comma" and adding the following: "and when said work is completed and approved a duplicate statement of the cost thereof shall be filed at once with the state highway commission by the county auditor."

I move to amend Senate File No. 439 by adding immediately following section twelve (12) the following, to-wit:

"Sec. 13. It is hereby made the duty of the board of supervisors, whenever they shall determine to construct a permanent bridge or culvert, the engineer's estimated cost of which exceeds the sum of three hundred ($300) dollars, to adopt a resolution of necessity, which shall set forth the determination of said board to construct said bridge or culvert and shall contain the following matters, to-wit:

1. The location of such bridge or culvert, which location shall be so plainly pointed out that the same can easily be determined.

2. The material of which such bridge or culvert is to be constructed.

3. The approximate width of the roadway and depth of fill, if any, over the crown or floor of said bridge or culvert.

4. The approximate length of span or arch of said bridge or culvert.

5. The approximate area of the water shed to be drained through said bridge or culvert.

6. The estimated cost of said bridge.

7. The time and place when said board will hear protests, if any, against the construction of said bridge or culvert, which time shall be at least ten (10) days after the date of the last publication of any of said papers, hereinafter specified.

Immediately upon the adoption of said resolution the county auditor shall mail a copy of said resolution to each of the township trustees of the township or townships in which said bridge or culvert is to be located. The county auditor shall also cause said resolution to be published in one issue of each of the official papers of the county.

At the time and place fixed for said hearing, the board shall hear all protests, if any, unless on account of some unforeseen contingency it is unable to do so, in which event a new time and place shall be fixed by the board or county auditor, of which time and place all parties shall take notice. Upon the termination of said hearing, the board shall adopt a resolution stating its final determination to construct said bridge or culvert or to abandon the construction of the same. The decision of the board shall be final and no appeal shall be allowed therefrom. The said resolution of necessity may embrace more than one bridge or culvert.

If the final order of the board is for the construction of said bridge or culvert and the same is not constructed within one (1) year from the date of such final determination, a new resolution of necessity shall be adopted and proceeding had as herein provided."

The publication herein provided for shall be paid for at the rate specified in section 441 of the Supplement to the Code, 1907.

Renumber balance of sections of the bill."

I move to amend Senate File No. 439 by adding to section 15 the following, to-wit:

"No member of the highway commission, their deputies, or assistants, or any other person in the employ of the commission, no county supervisor, township trustees, county engineer, road superintendent or any

person in their employ or one holding an appointment under them, shall be either directly or indirectly interested in any contract for the construction or building of any bridge or bridges, culvert or culverts or any improvement of any road or parts of road coming under the provisions of this act.

I move to amend Senate File No. 439 by striking from lines three (3) and four (4) of section seventeen (17) of the original printed bill the following words, to-wit: "which do not directly obstruct travel or road construction work."

On the question, "Shall the Senate concur in the House Amendments "

The ayes were:

Allen, Doran, Dunnegan, Gillette, Quigley, Taylor, White, Wilson of Appanoose, Wilson of Clinton—9.

The nays were:

Ames, Belkema, Balluff, Boe, Cowles, Crist, Crow, Darrah, Farr, Francis, Garrett, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Mattes,McColl, McManus, Neal Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber—31.

Absent or not voting:

Arney, Chase, Clarkson, DeWolf, Fellows, Heald, Jewell, Malmberg, Nye, Perkins—10.

So the Senate refused to concur in the House Amendments.

HOUSE MESSAGES CONSIDERED.

Senate File No. 316, a bill for an act to legalize the adoption of certain propositions at an election of the county at Wapello, state of Iowa, with the effect of authorizing the board of supervisors of said county to purchase the land for an addition to the county home farm of said county, and to incur indebtedness for the purchase of such land, and to levy a continuing annual tax to provide for the payment of such indebtedness.

Passed on file.

Senator Webber moved the request of the House that Senate File No. 316 be returned to the House be granted.

Carried.

Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the code, relating to investment of money and to enact a substitute therefor.

The President appointed as a conference committee on Senate File No. 13, on the part of the Senate, Senators Sheean, Neal, Jones and Balluff.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the Board of Railroad Commissioners to "Public Utilities Commission;" enlarging and prescribing its powers and duties; providing for the apointment or two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the Board of Railroad Commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities.

Senator Francis offered the following amendment and moved its adoption:

Amend section 40 by adding thereto the following: Provided, however, the powers in this act granted to the commission shall not apply to municipally owned utilities except in so far as such powers have to do requiring annual reports, prescribing uniform system of accounts and requiring the setting aside of a depreciation and maintenance fund, and the hearing and determining complaints specified in section 37, sub-division (d) of this act.

Senator Farr offered the following andment to the amendment offered by Senator Francis, and moved its adoption:

"I move to amend the amendment proposed by Senator Francis and printed as No. 5 in the Journal, by striking out all after the word "accounts" in the fifth (5) line thereof, except the period at the end of the amendment."

President Pro Tem Savage, was called to the chair at 10:55.

Senator Wilson of Appanoose moved the previous question on the adoption of the amendment to the amendment offered by Senator Farr:

Carried.

On the adoption of the amendment to the amendment offered by Senator Farr, a roll call was demanded.

The ayes were:

Arney, Chase, Clarkson, Darrah, Doran, Farr, Fellows, Garrett, Kimball, Malmberg, Quigley, Ream, Schrup, Sheean, Wilson of Appanose, Wilson of Clinton—16.

The nays were:

Allen, Ames, Balkema, Balluff, Boe, Cowles, Crist, Crow, DeWolf, Dunnegan, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Mattes, McColl, Neal, Nye, Robinson, Smith, Sullivan, Taylor, Thomas, Webber, White—29.

Absent or not voting:

Jewell, McManus, Perkins, Savage, Spaulding—5.

So the amendment to the amendment was lost.

Senator Francis moved the previous question on the amendment offered by him to section 40.

Carried.

On the adoption of the amendment by Senator Francis a roll call was demanded.

The ayes were:

Allen, Ames, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, DeWolf, Dunnegan, Francis, Gillette, Hagemann, Heald,

Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Robinson, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

Arney, Chase, Darrah, Doran, Fellows, Garrett, Kimball, Quigley, Sheean—9.

Absent or not voting:

Farr, Jewell, McManus, Perkins, Ream, Savage, Schrup, Spaulding—8.

So the amendment was adopted.

Senator Francis moved that the Senate do now adjourn until 1 o'clock P. M., today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1 o'clock P. M., President Pro Tem Savage presiding.

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. 391, a bill for an act to amend the law as it appears in section 227 of the Supplement to the Code, 1907, relative to the tenth judicial district, and to provide for three judges in said district.

A. C. GUSTAFSON,
Chief Clerk.

On request of Senator Arney, leave of absence was granted Senator Malmberg for the day.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the board of railroad commissioners to "Public Utilities Commossion;" enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the board of railroad commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities.

Senator Allen moved that the Senate take up for consideration the amendment of Senator Spaulding.

Carried.

Senator Spaulding offered the following amendment and moved its adoption:

I move to amend by striking from line 40 of section 34, on page 22, the words "one hundred" and substituting therefor the words "twenty-five".

Senator Sullivan moved the previous question on the amendment.

Carried.

The amendment was adopted.

Senator Allen offered the following as a substitute for section 40 and moved its adoption:

I move to strike out section 40 and substitute the following:

I move to strike out section 40 and substitute the following:

Section 40. The commission shall have the power to investigate and ascertain the value of the property of every public utility in this state and every fact which in its judgment has, or may have, any bearing upon such value.

Separate valuations may be made for the different purposes of accounting and capitalization, public purchase and rate making.

Before final determination of the value of the property of any public utility, in a proceeding involving the rates and charges of such public utility, or public purchase of its property, or the issuance of its stocks, bonds, notes, or other evidence of indebtedness, the commission shall after not less than thirty (30) days' notice in writing to the public utility concerned, hold a public hearing as to such valuation, at which all parties to such proceedings shall be entitled to be heard, to be represented by counsel, to introduce evidence at such hearing, and to have process to enforce the attendance of witnesses.

Any order of the commission fixing the value of the property of a public utility for any of the purposes herein mentioned shall include findings of fact as to all matters bearing upon such value and which have been investigated by the commission or concerning which evidence may have been adduced, and shall also state the bases, standards, or elements of value considered by the commission in arriving at such value. In such investigation the commission must ascertain the original investment so far as it is possible to do so.

The commission may from time to time cause further hearings and investigation to be had for the purpose of making a revaluation of the property of any public utility by reason of betterments, improvements, additions or extensions to such property subsequent to any original order of valuation of its property hereunder, or by any reason of any other matter which may change, modify, or affect any findings of fact made in such original order; and may at any time after due hearing, make any finding of fact supplementary to those made in any previous order.

Every such supplementary hearing shall be had upon the same notice and be conducted in the same manner, and the order therein shall have the same force and effect, as is provided in this section in the case of an original hearing and order with respect to valuation.

The finding of facts of any order made at such supplemental hearing shall be considered in connection with and as supplementary thereto or amendatory thereof, as the case may be.

In making any valuation under this section, the commission shall have access to and use of any books, documents, or records in the pos-

session of any department or board of the state or of any municipality or other political or governmental subdivision of the state; and may resort to any other source of information available.

In all computations relative to reasonable rates of charge for services or supplies, the value of the plant for rate making purposes, the operating expenses, the earnings, etc., of a public utility, the commission shall make proper allowances for depreciation, sufficient to replace the property and the parts thereof, but it shall make no allowance for an amortization fund, in those cases in which the aforesaid depreciation is allowed.

In valuations for rate making purposes, no franchise right or privilege granted to a public utility by the state, or by a political subdivision thereof, shall be appraised, fixed, or considered, at any greater sum or value than the sum paid therefor in the public treasury of the state, or of the political subdivision granting the same.

(2) All the finding of the commission as to the values of properties subject to their jurisdiction, when properly certified under the seal of the commission, shall be admissable in evidence in any action, proceeding or hearing, before the commission or any court, in which the commission, the state or any office, department or institution thereof, or any county, municipality or other body politic and the public utility affected may be interested when arising under the provisions of this act or amendments thereto, and such findings, when so introduced, shall be conclusive evidence of the facts therein stated, as of the date therein stated, under conditions then existing, and such facts can only be controverted by showing a subsequent change in conditions bearing upon the facts therein determined; provided, however, said valuations shall be subject to review in the supreme court under the same terms and conditions as are provided in sections ....., ...and..... of this act. The commission may, from time to time, cause further hearings and investigations to be had for the purpose of making revaluations or ascertaining the values of any betterments, improvements, additions or extensions made by any public utility subsequent to any prior hearing or investigation and may examine into all matters which may change, modify or affect any finding of fact previously made, and may at such time make findings of fact supplementary to those theretofore made. Such hearings shall be had upon the same notice and be conducted in the same manner, and the findings so made shall have the same force and effect as is provided herein for such original notice, hearing and findings; provided, that such findings made at such supplemental hearings or investigations shall be considered in connection with and as a part of the original findings, except in so far as such supplemental findings shall change or modify the findings made at the original hearing or investigation.

All the powers of the executive council of the state of Iowa as now provided by law, to value the property of public utilities for the purpose

of taxation are hereby transferred to the commission, and all the provisions of the law relating to the filing of reports and statements by said public utilities with said executive council for the purpose of assisting them to value said property are hereby repealed. The commission shall send certified copies of said values to the executive council or tax commission, or any other state tribunal having jurisdiction over the estate taxes and assessable values of said properties, as such dates as may be required by said executive council, tax commission, or other tribunal, providing the commission can, with reasonable diligence, furnish the same on such dates. The said values as found by the public service commission shall be conclusive evidence before the executive council, tax commission, or other tribunal, and in all courts of the state, of the assessable values of said properties for taxation purposes, subject to the constitutional rights of the said public utilities. Accompanying the aforesaid certified statement of assessable values, the commission shall send an itemized statement of all the computations entering into the said findings of value, together with a detailed description of all the methods used and the principles upon which such values are based.

In determining the said values the commission shall consider all the factors now prescribed by state, or which shall be deemed by it, as proper for consideration in determining values for taxation purposes, and shall give such weight to said factors as in the judgment of the members of said commission is fair and just.

The value of all franchises, right or privileges granted to a public utility by the state, or by a political subdivision thereof, shall be appraised and included in valuations made by the commission for taxation purposes.

Senator Allen offered the following amendments to the substitute for section 40 pending:

I move to amend the substitute for section 40 by striking out as follows: First, strike from lines 5 and 6 the words "of accounting and capitalization".

Adopted.

Senator Allen offered the following amendment to substitute for section 40, pending, and moved its adoption:

Strike all after the word "value" in lines 22 and 23.

Adopted.

Senator Allen offered the following amendment to the substitute offered by him to section 40, pending, and moved its adoption:

Strike all after the word "determined" in the third line from the bottom of the second page down to and including the word "act" in the last line on said page.

Adopted.

Senator Francis offered the following amendment as a substitute for the substitute as amended, to section 40, offered by Senator Allen:

I move the following as a substitute for the motion of Senator Allen, amending section 40, by adding thereto the following:

"Wherein the commission shall fix the value of any utility, the valuation so fixed shall be certified to the executive council of the state, such valuation so certified shall be given such consideration as the executive council may deem same entitled to."

Senator Allen moved that further consideration of section 40 be postponed until 10 o'clock tomorrow.

On this motion, a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Arney, Chase, Clarkson, Crow, Darrah, Doran, Farr, Garrett, Heald, Kimball, Larrabee, Quigley, Robinson, Schrup, Sheean, Thomas, Wilson of Appanoose—19.

The nays were:

Balkema, Balluff, Bce, Cowles, Crist, DeWolf, Dunnegan, Francis, Gillette, Hagemann, Hilsinger, Jones, Legel, Mattes, McColl, Sullivan, White—17.

Absent or not voting:

Fellows, Jewell, Malmberg, McManus, Neal, Nye, Perkins, Ream, Savage, Smith, Spaulding, Taylor, Webber, Wilson of Clinton—14.

Carried.

Senator Francis moved that further consideration of the bill be postponed until tomorrow morning at 10 o'clock.

Motion withdrawn.

Senator Kimball moved the adoption of the following amendment:

I move to amend section 18, subdivision e, by striking out the words "municipal corporation" in line two thereof.

Adopted.

Senator Spaulding moved that the bill be referred to a committee of those who disagreed on this measure and let them settle their differences.

Lost.

Senator Kimball moved the adoption of the following amendment:

I move to amend the bill by striking out the word "municipalities" in line 35 of section 18, page 12.

President Harding resumed the chair at 3 P. M.

Senator Francis moved the previous question on the amendment.

Carried.

Senator Chase moved that Senator Kimball be allowed five minutes to close the discussion on the amendment.

Declared out of order.

On the adoption of the amendment offered by Senator Kimball, a roll call was demanded.

Those favoring the amendment were:

Allen, Arney, Chase, Clarkson, Darrah, Doran, Farr, Fellows, Garrett, Gillette, Kimball, Larrabee, Quigley, Schrup, Spaulding, Wilson of Appanoose—16.

The nays were:

Ames, Balkema, Balluff, Boe, Cowles, Crist, DeWolf, Dunnegan, Francis, Hagemann, Hilsinger, Jones, Legel, Mattes, McColl, Nye, Robinson, Sullivan, Thomas, Webber, White, Wilson of Clinton—22.

Absent or not voting:

Crow, Heald, Jewell, Malmberg, McManus, Neal, Perkins, Ream, Savage, Sheean, Smith, Taylor—12.

So the amendment was lost.

EXPLANATION OF VOTE.

MR. PRESIDENT—I wish to explain the reason I was not present when the vote was taken on the Kimball Amendment No. 2, found on page 1309 of Senate Journal, to-wit:

I was called over to the House on important business. When I left the Senate chamber to go over to the House, it was with the understanding that should a vote be called on said amendment before I returned, that I would be notified. I was not notified, consequently not given a chance to vote on this amendment. I would have voted "aye" were I present.

W. D. SHEEAN.

March 27, 1913.

Senator Kimball rose to a point of order that the senators announced their vote on coming into the room and were entitled to vote.

Point of order declared not well taken.

Senator Kimball moved the adoption of the following amendment:

I move to amend the bill by substituting for paragraph three of section 18 as found on page 13, the following:

Nothing herein shall be held to apply to municipal corporations or to their boards or commissions rendering or furnishing to the public or for public use for compensation or hire any of the services or supplies described in this section, save and except as hereinafter provided that the commission, shall consult with and advise the councils, boards or commissions of such municipal corporations, and save and except as the method of accounting and keeping accounts of said boards or commissions of such municipal corporations shall be outlined and required by said commission.

Senator Francis raised the point of order that the amendment offered was similar to one already voted on.

Chair held point of order not well taken.

On the adoption of the amendment, a roll call was demanded.

Those favoring the amendment were:

Allen, Arney, Clarkson, Darrah, Doran, Farr, Fellows, Garrett, Kimball, Larrabee, Nye, Quigley, Robinson, Savage, Wilson of Appanoose—15.

The nays were:

Ames, Balkema, Balluff, Boe, Cowles, Crist, DeWolf, Dunnegan, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Legel, Mattes, McColl, Nye, Robinson, Savage, Sullivan, Taylor, Thomas, Webber, White, Wilson of Clinton—26.

Absent or not voting:

Chase, Crow, Jewell, Malmberg, McManus, Neal, Perkins, Ream, Smith—9.

So the amendment was lost.

Further consideration of the bill was postponed.

By unanimous consent Senator Farr filed the following amendment to section 34 of Senate File No. 306:

I move to amend section thirty-four (34) by adding the following: "Provided, however, that nothing in this section contained shall be construed to cause any municipality to forfeit or pay a sum greater than fifty dollars ($50.00). But the forfeiture herein provided may be enforced against the officer or officers offending or failing to report."

Senator Chase filed the following amendment:

Amend by striking out "D" of section 37 and insert the following as a substitute: "The commission shall have no power or authority to fix rates for any municipally owned public utility."

REPORT OF COMMITTEE.

Senator Smith, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate File No. 369, a bill for an act fixing the standard of quali-

fications of all persons desiring to practice mechanical therapy and for the regulation thereof; to create a state board of mechanical therapeutic examiners, and to provide for the registration of those entitled to practice mechanical therapy, and providing penalties for the violation of any of the provisions thereof, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out section 1 as the same now stands in the bill and inserting in lieu thereof the following:

"That within thirty (30) days of the taking effect of this act the governor shall appoint three residents of the state who are reputable, mechanical theropeutists, no two of whom shall be members of the same school of practice, who shall have passed the examination now required for licensing to practice osteopathy at the time of his appointment and who thus appointed and duly qualified shall constitute a board of mechanical therepeutic examiners. The governor and attorney general of the state shall be members ex officio of the board and shall have a vote on all rules and regulations of the board. No one of this board shall be a member of the faculty of any school of mechanical therapy, but each member shall have been in active practice for a period of three years, which practice shall have been within the state. The terms of office of each member of the board shall be three years, excepting the term of those constituting the board first named by the governor shall be for one, two and three years respectively. The term is to be designated by the governor upon his making each appointment. Thereafter and during each succeeding year the governor shall appoint a member of said board for the full term of three years, and any vacancy occurring from any other cause than the expiration of the term shall be filled by the governor for the unexpired term. Any member of the board may administer oaths and take testimony in any manner authorized by law"; and when so amended the bill be returned to the Senate without recommendation.

P. M. JEWELL,
Chairman.

Ordered passed on file.

Journal of March 26th was taken up, corrected and approved.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Clarkson, Senate File No. 508, a bill for an act to amend section eight hundred thirty-six (836) of the code, 1897, in reference to reassessment for local improvements.

Read first and second time and referred to committee on Judiciary.

By Senator Clarkson, Senate File No. 509, a bill for an act to amend section thirteen hundred eight (1308) of the code, providing for the manner of taxing mortgaged property.

Read first and second time and referred to committee on Ways and Means.

By Senator Gillette, Senate File No. 510, a bill for an act to amend the law as it appears in section one thousand five hundred thirty-two (1532) supplement to the code, 1907, as amended by the acts of the Thirty-third General Assembly, relative to the establishment of road districts for state lands and providing for the payment of the cost of maintaining roads therein and the collection of road poll tax within such districts.

Read first and second time and referred to committee on Roads and Highways.

By Senator Gillette, Senate File No. 511, a bill for an act to amend section two thousand seven hundred eighty-one (2781) of the code relative to publication of receipts and disbursements of school funds.

Read first and second time and referred to committee on Schools.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Substitute for Senate File No. 219, a bill for an act to provide for the transfer to the city or town treasurer of unclaimed funds in the treasury of the county where such unclaimed funds are the proceeds of an invalid tax levied to pay for the construction of an electric light plant for such city or town, and making the same a part of the general fund of such city or town.

Also:

Substitute for Senate File No. 24, a bill for an act to appropriate money for the indemnity by way of compensation to Clara Bahls for personal injury sustained while working in the laundry department in the state institution for the deaf and dumb at Council Bluffs, Iowa.

Also:

Senate File No. 376, a bill for an act to legalize ordinances of the town of Ayrshire, Iowa, and authorizing the substitution of a new ordinance record in place of the original record.

Also:

Substitute for Senate File No. 231, a bill for an act to amend the law as it appears in chapter eighty-three (83) acts of the Thirty-third (33d) General Assembly, relating to the issuance of bonds in cities and towns.

Also:

Senate File No. 279, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-four (2724) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to admission to the school for the deaf and to reports by county superintendent of deaf persons.

Also:

Senate File No. 127, a bill for an act to amend the law as it appears in section twenty-seven hundred and fifty-four (2754) of the Supplement to the Code, 1907, and section twenty-seven hundred and fifty-six (2756) of the Code relating to the election of officers in independent school districts in towns and cities, and the appointment of judges therefor in certain districts.

Also:

Senate File No. 139, a bill for an act to amend the law as it appears in section fifty-seven hundred seven (5707) of the Supplement to the Code, 1907, relating to the breaking of stone.

Also:

Senate File No. 205,a bill for an act requiring the teaching of elementary agriculture, domestic science, and manual training in the public schools, after a specified time.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Senate File No. 376, a bill for an act to legalize ordinances of the town of Ayrshire, Iowa, and authorizing the substitution of a new ordinance record in place of the original record.

Also:

Substitute for Senate File No. 231, a bill for an act to amend the law as it appears in chapter eighty-three (83) acts of the Thirty-third (33d) General Assembly, relating to the issuance of bonds in cities and towns.

Also:

Senate File No. 279, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-four (2724) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to admission to the school for the deaf and to reports by county superintendent of deaf persons.

Also:

Substitute for Senate File No. 219, a bill for an act to provide for the transfer to the city or town treasurer of unclaimed funds in the treasury of the county where such unclaimed funds are the proceeds of an invalid tax levied to pay for the construction of an electric light plant for such city or town, and making the same a part of the general fund of such city or town.

Also:

Substitute for Senate File No. 24, a bill for an act to appropriate money for the indemnity by way of compensation to Clara Bahls for personal injury sustained while working in the laundry department in the state institution for the deaf and dumb at Council Bluffs, Iowa.

Also:

Senate File No. 127, a bill for an act to amend the law as it appears in section twenty-seven hundred and fifty-four (2754) of the Supplement to the Code, 1907, and section twenty-seven hundred and fifty-six (2756) of the Code relating to the election of officers in independent school districts in towns and cities, and the appointment of judges in certain districts.

Also:

Senate File No. 139, a bill for an act to amend the law as it appears in section fifty-seven hundred seven (5707) of the Supplement to the Code, 1907, relating to the breaking of stone.

Also:

Senate File No. 205,a bill for an act requiring the teaching of elementary agriculture, domestic science, and manual training in the public schools, after a specified time.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

Senator Thomas filed the following amendment to Senate File No. 1.

In line six (6) of the bill as printed in the Senate Journal, section eighteen (18), change the period following the word "Iowa," to a comma, and add the following: "or which shall execute, issue, sell, offer or negotiate for sale, any contract, bond or other instrument, by the terms of which title to real estate located outside the state of Iowa is to be transferred upon the completion of certain payments or the performance of certain conditons therein specified."

REPORTS OF COMMITTEE.

Senator Crow, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions to whom was referred Senate File No. 368, a bill for an act to require the registration of charitable organizations soliciting public aid and providing penalty for the violations thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

E. L. CROW,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Charitable Institutions to whom was referred Senate File No. 410, a bill for an act to promote the purposes and work of the Iowa state conference of charities and correction, beg leave to report they have had the same under consideration and rec-

ommend the same be referred to the commitee on Appropriations without recommendation from this committee.

E. L. CROW,
Chairman.

Senator Crow moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Senator Allen, from the committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—The joint committee on Retrenchment and Reform beg leave to report that Howard Nye, duly appointed telephone messenger in the Senate, filed his resignation under date of March 26th, that the committee has accepted such resignation, and recommends that Fletcher Ellis be elected to fill the position of telephone messenger made vacant by such resignation.

Respectfully submitted,

J. H. ALLEN,
Chairman.

Senator Mattes moved the adoption of the report.

Adopted.

Senator Savage 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 26, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. A. M. Smith, Moulton, Iowa.

PETITIONS AND MEMORIALS.

Senator Balkema presented a remonstrance of citizens of Lyon and Sioux counties opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balkema presented a petition of citizens of Sioux county opposing House File No. 262 and Senate File No. 131, relating to text books.

Referred to committee on Schools.

Senator Balkema presented a petition of citizens of Moneta, Iowa, favoring House File No. 484.

Referred to committee on Railroads.

Senator Balluff presented a remonstrance of citizens of Scott county opposing House File No. 262 and Senate File No. 131, relating to text books.

Referred to committee on Schools.

Senator Balluff presented a remonstrance of citizens of Scott county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a petition of citizens of Pisgah, Kiron, and Ticonic, favoring passage of House File No. 484.

Referred to committee on Railroads.

Senator Crow presented a remonstrance of citizens of Crawford county protesting against Senate File No. 131.

Referred to committee on Schools.

Senator Sheean presented a petition of citizens of Bennett, Iowa, favoring passage of House File No. 484.

Referred to committee on Railroads.

Senator Robinson presented a petition of citizens of Hampton, Iowa, favoring House File No. 484.

Referred to committee on Railroads.

Senator Clarkson presented a remonstrance of citizens of Pella, Iowa, opposing passage of the public utility bill.

Referred to committee on Public Utilities.

Senator Spaulding presented a remonstrance of citizens of Poweshiek county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Darrah presented a remonstrance of citizens of Lucas county opposing passage of House File No. 262 and Senate File No. 131, relating to text books.

Referred to committee on Schools.

Senator Fellows presented a petition of citizens of Fayette county favoring House File No. 484.

Referred to committee on Railroads.

Senator Jones presented a remonstrance of citizens of Montgomery county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Appanoose presented a remonstrance of citizens of Appanoose county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Appanoose presented a remonstrance of members of Local Union No. 1616 protesting passage of Senate File No. 389 by Sullivan.

Referred to committee on Labor.

Senator Boe presented a remonstrance of sitizens of Winnebago county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Boe presented a petition of citizens of Buffalo Center favoring passage of House File No. 484 relating to passenger service on certain lines of railroads.

Referred to committee on Railroads.

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. 464, a bill for an act to repeal sections 729-a, 592-a, 741-n Supplement to the Code, 1907, and enact substitutes therefor, to amend section 422 of the Supplement of the Code, 1907; and section 2806 of the Code, all relating to the benefits of free public libraries.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 amend section 2734-p Supplement to the Code, 1907, relating to qualifications of teachers.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 291, a bill for an act to amend section 5040-a of the Supplement to the Code, 1907, relating to the proper observance of Decoration Day.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 646, a bill for an act granting to cities of all classes and towns power to license and regulate plumbers; to determine the qualifications and provide for examination thereof; etc., and to amend section 700 of the Supplement to the Code, 1907.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 119, a bill for an act to amend section 430 of the Supplement to the Code, 1907, as amended by chapter 25 of the laws of the Thirty-fourth General Assembly relative to the dependent soldiers' and sailors' tax.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 relating to elevators and warehouses in railroad land and prescribing methods and conditions of procuring and holding sites therefor, and liability for loss or destruction thereof.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 69, a bill for an act to authorize the repayment to the estate of W. R. Benton of money paid to the State of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 653, a bill for an act to repeal section 3 of chapter 118 of the acts of the Thirty-fourth General Assembly, providing for the distraint of deer; and to enact a substitute therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 500, a bill for an act to repeal the law as it appears in chapter 220 acts of the Thirty-third General Assembly, and to amend the law as it appears in section 4999-a9, Supplement to the Code, relating to protection against fire and providing means for escape.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 259, a bill for an act creating the office of state examiners for counties, fixing their compensation, duties, terms of office, etc., providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 relating to notaries public, who are stockholders, directors, officers or employes of banks or other corporations.

A. C. GUSTAFSON,
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. 254, a bill for an act to amend the law as it appears in sections 691 and 692 of the Code, 1897, relating to the jurisdiction in actions for the violation of city or town ordinances and providing for the transfer of cases from mayor's court to a justice of the peace court in certain cases.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended by substitute and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 44, a bill for an act to fix the compensation of certain officers and employes of the reformatory at Anamosa and the state penitentiary at Fort Madison, etc., repealing sections 5717 and 5718 of the Code, and the law as found in sections 5716 and 5718-a-28, chapter 2, title 26, of the Supplement to the Code, 1907.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 14, a bill for an act to amend chapter 200 of the acts of the Thirty-third General Assembly relating to administration of the estates of absentees.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Nye, by request, Senate File No. 512, a bill for an act amending section forty-six hundred sixty-one (4661) of the code relating to witnes fees.

Read first and second time and referred to committee on Judiciary.

By Senator Francis, Senate File No. 513, a bill for an act to amend the law as it appears in section two thousand five hundred seventy-eight-b (2578-b) of the supplement to the code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses.

Read first and second time and referred to committee on Judiciary.

By Senator Francis, Senate File No. 514, a bill for an act providing for a millage levy to be used in surfacing certain highways of the state, and providing for the expenditure thereof.

Read first and second time and referred to committee on Roads and Highways

By Senator Webber, Senate File No. 515, a bill for an act to amend chapter one hundred and fifty (150) acts of the Thirty-fourth (34th) General Assembly relating to the sales of stocks of goods, wares or merchandise in bulk.

Read first and second time and referred to committee on Judiciary.

MESSAGES CONSIDERED.

House File No. 391, a bill for an act to amend the law as it appears in section two hundred and twenty-seven (227) of the supplement to the code, 1907, relative to judicial districts and the number of judges therein and to provide for three judges in the tenth judicialy district.

Read first and second time and referred to committee on Congressional and Judicial Districts.

House File No. 464, a bill for an act to repeal sections seven hundred twenty-nine-a (729-a), five hundred ninety-two-a (592 a) and seven hundred forty-one-n (741-n), supplement to the code, 1907, and to enact substitutes therefor; to amend sections four hundred twenty-two (422) supplement to the code, 1907, and section twenty-eight hundred six (2806) of the code; all relating to the benefits of free public libraries and to confer additional powers upon boards of library trustees, township trustees, boards of county supervisors, boards of school directors, and city and town councils, in relation thereto.

Read first and second time and referred to committee on Public Libraries.

House File No. 350, a bill for an act to amend section twenty-seven hundred thirty-four-p (2734-p) supplement to the code, 1907, relating to qualifications of teachers.

Read first and second time and referred to committee on Schools.

House File No. 291, a bill for an act to amend section five thousand and forty-a (5040-a) of the supplement to the code, 1907, relating to the proper observance of decoration day.

Read first and second time and referred to committee on Military.

House File No. 646, a bill for an act granting to cities of all classes and towns power to license and regulate plumbers; to determine the qualifications and provide for the examination thereof; to prescribe rules and regulations for the installation of plumbing and the inspection thereof and to provide for the removal of plumbing installed in violation of the manner prescribed and to impose penalties for a violation of ordinances enacted under this act to amend section seven hundred (700) of the supplement to the code, 1907.

Read first and second time and referred to committee on Cities and Towns.

House File No. 119, a bill for an act to amend section four hundred thirty (430) of the supplement to the code, 1907, as amended by chapter twenty-five (25) of the laws of the Thirty-

fourth General Assembly relative to the dependent soldiers' and sailors' tax.

Read first and second time and referred to committee on Ways and Means.

House File No. 298, a bill for an act relating to elevators and warehouses on railroad land and prescribing methods and conditions of procuring and holding sites therefor, and liability for loss or destruction thereof.

Read first and second time and referred to committee on Railroads.

House File No. 69, a bill for an act to authorize the repayment to the estate of W. R. Benton of money paid to the state of Iowa.

Read first and second time and referred to committee on Claims.

House File No. 653, a bill for an act to repeal section three (3) of chapter one hundred eighteen (118) of the acts of the Thirty-fourth General Assembly, providing for the distraint of deer; and to enact a substitute therefor.

Read first and second time and referred to committee on Fish and Game.

House File No. 500, a bill for an act to repeal the law as it appears in chapter two hundred twenty (220), acts of the Thirty-third General Assembly, and to amend the law as it appears in section forty-nine hundred ninety-nine-a-nine (4999-a-9), supplement to the code, 1907, relating to protection against fire and providing means for escape.

Read first and second time and referred to committee on Cities and Towns.

House File No. 259, a bill for an act creating the office of state examiners for counties, fixing their compensation, duties, terms of office, and method of apointment, providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, reports and audits for counties, and providing penalties for violation of this act.

Read first and second time and referred to committee on Judiciary.

House File No. 491, a bill for an act relating to notaries public who are stockholders, directors, officers, or employes of banks or other corporations.

Read first and second time and referred to committee on Private Corporations.

Substitute for Senate File No. 14, a bill for an act to amend chapter two hundred (200) of the acts of the Thirty-third General Assembly relating to administration of the estates of absentees.

Passed on file.

Substitute for Senate File No. 44, a bill for an act to fix the compensation of the wardens and of certain officers and employes of the reformatory at Anamosa and the state penitentiary at Fort Madison, and to enlarge the support fund of said institutions; repealing section five thousand seven hundred and seventeen (5717) and five thousand seven hundred and eighteen (5718) of chapter two (2) title twenty-six (XXVI) of the code and the law as found in sections five thousand seven hundred and sixteen (5716) and five thousand seven hundred and eighteen-a-twenty-eight (5718-a-28), chapter two (2), title twenty-six (XXVI), of the supplement to the code, 1907.

Read first and second time.

Senator Sheean moved that the Senate concur in the following House substitute amendments:

A BILL for An Act to Repeal the Law as it Appears in Sections Five Thousand Six Hundred Sixty-nine-a (5669-a), Five Thousand Seven Hundred Sixteen (5716), and Five Thousand Seven Hundred Eighteen-a-Twenty-eight (5718-a-28) of the Supplement to the Code, 1907, and in Sections Five Thousand Seven Hundred Seventeen (5717), and Five Thousand Seven Hundred Eighteen (5718), of the Code, and to Enact Substitutes Therefor, Providing for the Compensation and Allowances of Officers and Employes of the Reformatory at Anamosa and the Penitentiary at Fort Madison.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in section five thousand seven hundred sixteen (5716), of the Supplement to the Code, 1907, is hereby repealed, and in lieu thereof is enacted the following:

The officers and employes of the reformatory at Anamosa and the penitentiary at Fort Madison, hereinafter specified, shall be paid for their services each month, sums to be fixed by the board of control, of state institutions, not exceeding, however, the sums specified as follows: the warden, two hundred ten dollars ($210.00); the deputy warden, one hundred twenty-five dollars ($125.00); the assistant deputy warden, one hundred dollars ($100.00); the clerk, one hundred dollars ($100.00); the chaplain, one hundred dollars ($100.00); and an additional chaplain, twenty dollars ($20.00; matron of the women's department, seventy-five dollars ($75.00; the physician and surgeon of the reformatory at Anamosa, one hundred dollars ($100.00); the physician and surgeon of the penitentiary at Fort Madison, one hundred dollars ($100.00); the kitchen stewards, receiving and disbursing officers, record clerks, and captains of night guards, each eighty dollars ($80.00); turnkeys, and guards of the first class, eighty dollars ($80.00); turnkeys and guards of the second class, seventy-five dollars ($75.00); turnkeys and guards of the third class, sixty-five dollars ($65.00).

Other officers and employes in the opinion of the board of control of state institutions needed to carry on the various departments of the prisons, properly and efficiently, may be authorized, and their salaries fixed by said board, subject to the approval of the governor, as provided by the law as found in section two thousand seven hundred twenty-seven-a-thirty-eight (2727-a-38), of the Supplement to the Code, 1907. The salaries and wages herein authorized shall be paid by the state treasurer from any money in the state treasury, not otherwise appropriated, upon certified abstracts as provided by the law, as it appers in section two thousand seven hundred twenty-seven-a-forty-three (2727-a43) of the Supplement to the Code, 1907.

Sec. 2. The law as it appears in section five thousand seven hundred seventeen (5717), of the Code, and in section five thousand six hundred sixty-nine-a (5669-a) and section five thousand seven hundred eighteen-a-twenty-eight (5718-a-28), of the Supplement to the Code, 1907, are hereby repealed, and in lieu thereof, is enacted the following:

In addition to his salary, each warden shall be provided with a furnished house to be designated by the board of control, or house rent and water, heat, ice, and lights, and the labor of prisoners, not xeceeding three at one time for household and domestic service. Each deputy warden shall be furnished with a house to be designated by the board of control, or house rent and water, heat, ice, and lights, and domestic service by not more than one prisoner at one time.

The matron of the female department shall be allowed, in addition to her salary, a furnished apartment, heat, light, and domestic service within the building occupied by the women's department.

The prison labor authorized by this section shall not be used except on the premises and for the benefit of the person authorized to use it, and for his family. Provided, however, that no labor of prisoners shall be used in a manner to prejudice prison discipline.

Sec. 3. Section five thousand seven hundred eighteen (5718) of the Code, is hereby repealed, and in lieu thereof is enacted the following:

For the general support of the prisoners confined in the reformatory at Anamosa and the penitentiary at Fort Madison there shall be paid from any money in the state treasury not otherwise appropriated the sum of eleven dollars fifty cents monthly for each prisoner in the reformatory and eleven dollars monthly for each prisoner in the penitentiary, to be estimated by the average number present during the preceding month. Said sums shall be drawn from the state treasury as provided by the law as it appears in section twenty-seven hundred twenty-seven-a-forty-three (2727-a-43) of the Supplement to the Code, 1907.

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.

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Crist—1.

The nays were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Cowles, Crow, DeWolf, Doran, Dunnegan, Gillette, Hagemann, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Ream, Robinson, Sheean, Smith, Sullivan, Taylor, White, Wilson of Appanoose—31.

Absent or not voting:

Allen, Clarkson, Darrah, Farr, Fellows, Francis, Garrett, Heald, Jewell, Kimball, Perkins, Quigley, Savage, Schrup, Spaulding, Thomas, Webber, Wilson of Clinton—18.

So the Senate refused to concur in House amendments.

Substitute for Senate File No. 254, a bill for an act to repeal section six hundred ninety-one (691) of the code, relating to the jurisdiction in actions for the violation of city ordinances and to enact a substitute therefor.

Senator Jones moved that the Senate concur in the following House amendments:

Strike out the figures "1897" immediately following the word "code" wherever found in the title or the body of the bill.

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Crist, Crow, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hilsinger, Jones, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Clinton—32.

The nays were:

None.

Absent or not voting:

Balluff, Chase, Clarkson, Cowles, Darrah, Gillette, Hagemann, Heald, Jewell, Kimball, Legel, Perkins, Quigley, Savage, Schrup, Thomas, Webber, Wilson of Appanoose—18.

So the House amendment having received a constitutional majority was declared concurred in.

Senator Balkema moved to reconsider the vote by which the Senate refused to concur in House amendments to Senate File No. 439.

Carried.

Senator Balkema moved that the Senate concur in the following House amendments to Senate File No. 439, a bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employers with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seevnty-four-f (2674-f) of the supplement to the code, 1907, relating to highway commission and to

amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund.

HOUSE AMENDMENTS.

Amend the title of Senate File No. 439 by striking from the seventh line of the printed bill the word "employers" and by inserting in lieu thereof the word "employees" and by adding to said title the following: "and to repeal all acts and parts of acts in conflict with this act."

Also by inserting after the word "commission" and before the word "to" in the third line of the printed title, the following: "to provide for the removal of the members of said commission."

Amend section one (1) of Senate File No. 439 by inserting after the figures "1913" in line nine (9) of said section the following: "Each commissioner shall be subject to removal from office as provided by chapter seventy-seven (77), laws of the Thirty-third General Assembly."

By inserting a "comma" after the word "bridge" in the 6th line of section 8 and adding the word "tile."

By inserting a "comma" after the word "culvert" in the 8th line of section 8 and adding the word "tile."

By inserting between the words "all" and "bridges" in the 11th line of section 8 the following: "lines of tile and size thereof and of all."

By inserting a "comma" after the word "bridge" in the 11th line of section 9 and adding the word "tile."

By inserting after the "comma" following the word "system" in the 20th line of section 9 the words "or for tile and tiling."

By inserting after the "comma" following the word "work" in the 1st line of section 11 the words "tile and tiling."

By changing the period following the word "therewith" in the 3d line of section 12 of the printed bill to a "comma" and adding the following: "and when said work is completed and approved a duplicate statement of the cost thereof shall be filed at once with the state highway commission by the county auditor.

I move to amend section twelve (12), line seventeen (17) by inserting after the comma (,) following the word "specifications" and before the word "estimates" the following, "esitmate of drainage area."

By changing the period following the word "records" in the 20th line of section 12 of the printed bill to a "comma" and adding the following: "and when said work is completed and approved a duplicate statement of the cost thereof shall be filed at once with the state highway commission by the county auditor."

I move to amend Senate File No. 439 by adding immediately following section twelve (12) the following, to wit:

"Sec. 13. It is hereby made the duty of the board of supervisors, whenever they shall determine to construct a permanent bridge or culvert, the engineer's estimated cost of which exceeds the sum of three hundred ($300) dollars, to adopt a resolution of necessity, which shall set forth the determination of said board to construct said bridge or culvert and shall contain the following matters, to wit:

1. The location of such bridge or culvert, which location shall be so plainy pointed out that the same can easiy be determined.

2. The material of which such bridge or culvert is to be constructed.

3. The approximate width of the roadway and depth of fill, if any, over the crown or floor of said bridge or culvert.

4. The opproximate length of span or arch of said bridge or culvert.

5. The approximate area of the water shed to be drained through said bridge or culvert.

6. The estimated cost of said bridge.

7. The time and place when said board will hear protests, if any, against the construction of said bridge or culvert, which time shall be at least ten (10) days after the date of the last publacition of any of said papers, hereinafter specified.

Immediately upon the adoption of said resolution the county auditor shall mail a copy of said resolution to each of the township trustees of the township or townships in which said bridge or culvert is to be located. The county auditor shall also cause said resolution to be published in one issue of each of the official papers of the county.

At the time and place fixed for said hearing, the board shall hear all protests, if any, unless on account of some unforeseen contingency it is unable to do so, in which event a new time and place shall be fixed by the board or county auditor, of which time and place all parties shall take notice. Upon the termination of said hearing, the board shall adopt a resolution stating its final determination to construct said bridge or culvert or to abandon the construction of the same. The decision of the board shall be final and no appeal shall be allowed therefrom. The said resolution of necessity may embrace more than one bridge or culvert.

If the final order of the board is for the construction of said bridge or culvert and the same is not constructed within one (1) year from the date of such final determination, a new resolution of necessity shall be adopted and proceeding had as herein provided."

The publication herein provided for shall be paid for at the rate specified in section 441 of the Supplement to the Code, 1907.

Renumber balance of sections of the bill."

I move to amend Senate File No. 439 by adding to section 15 the following, to wit:

"No member of the highway commission, their deputies, or assistants, or any other person in the employ of the commission, no county supervisor, township trustees, county engineer, road superintendent or any person in their employ or one holding an appointment under them, shall be either directly or indirectly interested in any contract for the construction or building of any bridge or bridges, culvert or culverts or any improvement of any road or parts of road coming under the provisions of this act.

I move to amend Senate File No. 439 by striking from lines three (3) and four (4) of section seventen (17) of the original printed bill the following words, to wit: "which do not directly obstruct travel or road construction work."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Chase, Farr, Heald, Jewell, Perkins, Quigley, Savage, Thomas, Webber, Wilson of Appanoose—10.

So the House amendments having received a constitutional majority were declared concurred in.

Senator Larrabee in behalf of Tacitus Hussey of Des Moines, presented to President Harding a new gravel and asked that the following communication from Mr. Hussey accompanying the same be read and printed in the Journal:

Des Moines, Iowa, March 20, 1913.

Friend Larrabee: Having heard that the President of the Senate had broken his gavel, I hand you one for presentation to him, if you will be so

kind. The handle is maple and is a piece of the old Fort Des Moines cabins or barracks, built here in 1843, and abandoned in 1845, when the Indians surrendered their rights to territory of Iowa. The head is from a part of the balustrade or banisters of the old or temporary capitol built in 1857-8 and was used for the first legislature meeting in Des Moines, 1858. It was selected after the fire had destroyed the building and at the same time Hon. Ed Wright selected a portion of the same piece for a keepsake. I have papers relating how this wood came into my hands and has been preserved all these years; but have not time to copy them now; but can send you copies if you so desire, or if newspapers desire it.

I wish to place this historic piece of wood in the hands of the state that it may be preserved, as I believe it is the only remaining gavel in the state of the kind. The mate to this with an ash handle was presented to the Carpenters' Union some time ago and is in the possession of the society.

Yours very respectfully,
TACITUS HUSSEY.

President Harding responded as follows:

Senator Larrabee: It is a pleasure to me as President of the Senate, to receive this gavel. It is always fitting that the pioneer of our state be recognized.

These two pieces of wood fashioned and shaped into a gavel will have great historic value in the years to come. They will be a link between the old and the new.

The pioneer should have a large place in our affections. They came into Iowa when she was a wilderness. They built a foundation that is strong and true.

In behalf of the Senate and the state, I desire to thank Mr. Hussey for this gavel and assure him that it will be placed among the archives of the state.

REPORT OF COMMITTEE.

Senator Smith, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate File No. 216, a bill for an act to prohibit the use of a common drinking cup in public and private schools, state educational institutions, halls used for the purpose of meetings or entertainments, hotels, lodging houses, theaters, factories, or public or municipal buildings, in railroad trains and stations, and in other public places in the state of Iowa, and providing penalties for the violation of the same, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

P. M. JEWELL,
Chairman.

Ordered passed on file.

Senator Doran called up the resolution offered by him on March 22nd relative to railroads granting homeseekers rates to influence travel from Iowa to other points.

Senator Doran moved that the Senate adopt the resolution.

Carried.

Senator Hilsinger, from the committee on Board of Control and its Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Board of Control and its Institutions, to whom was referred Senate File No. 162, a bill for an act providing for the paroling of patients in the state hospital for inebriates and certain female patients from state hospitals for the insane, and for the return of patients who violate their paroles, and repealing the law as it appears in section twenty-three hundred ten-a-ninteen (2510-a-19) of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Senator Allen moved that the substitute for Senate File No. 306, which was offered by him yesterday and ordered printed in the Journal, be printed as a regular bill.

Carried.

The president announced that as president of the Senate in the presence of the Senate he had signed House Files Nos. 3, 138, 247, 336, 337 and 343.

The president announced that as president of the Senate he had signed in the presence of the Senate, Senate Files Nos. 205, 139, 127, 219, 24, 279, 231 and 376.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the Board of Railroad Commissioners to "Public Utilities Commission;" enlarging and prescribing its powers and duties; providing for the appointment of two (2) ad-

ditional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the Board of Railroad Commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by substituting for paragraph three of section eighteen as found on page thirteen as follows:

Nothing herein shall be held to apply to municipal corporations or to their boards or commissions rendering or furnishing to the public or for public use for compensation or hire any of the services of supplies described in this section, provided, however, municipal corporations shall be subject as a public utility hereunder and to the jurisdiction of the commission as hereinafter provided, if such municipality at any general, city or special election by a majority of the qualified electors voting thereon of such municipality shall vote to place the municipality under the powers of such commission and subject to this act as a public utility, and provided any municipality having surrendered its power to the commission and having subjected itself to the law as a public utility, may by a vote of the majority of its qualified electors withdraw from being subject as a public utility to the jurisdiction of the commission in the same manner as by vote of its electors of elected to come under the powers of the commission, and be subject as a public utility to the provisions of this act, and further save and except as hereinafter provided that the commission, shall consult and advise the councils, boards or commissions of such municipal corporations, and save and except as the method of accounting and keeping accounts of said boards or commissions of such municipal corporations shall be outlined and required by said commission.

Senator Allen offered the following amendment as a substitute for the amendment offered by Senator Kimball and moved its adoption:

I move to amend sub-division 3 of section 18 on page 13, by adding thereto the following:

"Provided, however, any municipality may by a majority vote of its qualified electors held upon submission by the council or held upon petition of ten per cent of the legal voters at any general city or special election, elect to withdraw from under the provisions of this act, or to return under its provisions if having withdrawn, and if any such municipaity shall withdraw from under the provisions of this act, nothing herein shall be held to apply to municipal corporations or to their boards or commissions, save and except as herein provided, that the commission shall consult with and advise the councils, boards or commissions of such municipal corporations and save and except as the method of accounting, reporting, and keeping accounts of said boards or commissions of such municipal corporations, shall be as outlined and required by said commission.

Senator Francis moved the previous question on the amendment and the substitute.

Senator Sullivan arose to a point of order that Senator Francis having begun a discussion of the amendment was out of order in moving the previous question.

The president declared the point of order well taken.

The substitute amendment offered by Senator Allen was adopted.

The amendment as substituted was adopted.

Senator Sullivan offered the following amendment and moved its adoption:

Amend paragraph "b" of section 37 by adding the following: "nor to prevent a municipality from constructing, installing and operating a light and power or gas plant, for the purpose of lighting the streets, alleys, parks and public property and buildings and furnishing power for city use and purposes."

Adopted.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by adding to sub-division "d" of section thirty-seven on page 26, as amended, the following:

Application may be made to the commission by the city council or board controlling any municipal utility or by ten per cent of the consumers

in any municipality by petition in writing requesting an examination into the value, service improvement defects or necessities of such municipal plant, whereupon the commission shall make an examination of all of the matters requested and shall advise with and furnish to the said council or board of any such municipality any information, result of investgation or conclusion reached, found or made by the commission upon such petition or request.

Senator Cowles offered the following amendment to the amendment offered by Senator Kimball and moved its adoption:

I move to amend the amendment by adding thereto the words "at the expense of said city."

Adopted.

The amendment as amended was adopted.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend subdivision "d" of section 37, as amended on page 26, by inserting the words "or board controlling the utility," after the word council in the third line of the amendment, and by inserting the words "or board" after the word council wherever found in the remaining portion of such amendment.

Adopted.

Senator Allen offered the following amendment as amended, as a substitute for section 40, and moved its adoption:

Section 40. The commission shall have the power to investigate and ascertain the value of the property of every public utility in this state and every fact which in its judgment has, or may have, any bearing upon such value.

Separate valuations may be made for the different purposes of public purchase and rate making.

Before final determination of the value of the property of any public utility, in a proceeding involving the rates and charges of such public utility, or the public purchase of its property, or the issuance of its stocks, bonds, notes, or other evidence of indebtedness, the commission shall after not less than thirty (30) days' notice in writing to the public utility concerned, hold a public hearing as to such valuation, at which all parties to such proceedings shall be entitled to be heard, to be represented by counsel, to introduce evidence at such hearing, and to have process to enforce the attendance of witnesses.

Any order of the commission fixing the value of the property of a public utility for any of the purposes herein mentioned shall include findings of fact as to all matters bearing upon such value and which have been investigated by the commission or concerning which evidence may have been adduced, and shall also state the bases, standards, or elements of value considered by the commission in arriving at such value.

The commission may from time to time cause further hearings and investigations to be had for the purpose of making a revaluation of the property of any public utility by reason of betterments, improvements, additions or extensions to such property subsequent to any original order of valuation of its property hereunder, or by any reason of any other mater which may change, modify, or affect any findings of fact made in such original order; and may at any time after due hearing, make any finding of fact supplementary to those made in any previous order.

Every such supplementary hearing shall be had upon the same notice and be conducted in the same manner, and the order therein shall have the same force and effect, as is provided in this section in the case of an original hearing and order with respect to valuation.

The finding of facts of any order made at such supplemental hearing shall be considered in connection with and as supplementary thereto or amendatory thereof, as the case may be.

In making any valuation under this section, the commission shall have access to and use of any books, documents, or records in the possession of any department or board of the state or of any municipality or other political or governmental subdivision of the state; and may resort to any other source of information available.

In all computations relative to reasonable rates of charges for services or supplies, the value of the plant for rate making purposes, the operating expenses, the earnings, etc., of a public utility, the commission shall make proper allowances for depreciation, sufficient to replace the property and the parts thereof, but it shall make no allowance for an amortization fund, in those cases in which the aforesaid depreciation is allowed.

In valuations for rate making purposes, no franchise right or privilege granted to a public utility by the state, or by a political subdivision thereof, shall be appraised, fixed, or considered, at any greater sum or value than the sum paid therefor into the public treasury of the state, or of the political subdivision granting the same.

(2) All the finding of the commission as to the value of properties subject to their jurisdiction, when properly certified under the seal of the commission, shall be admissable in evidence in any action, proceeding or hearing, before the commission or any court, in which the commission, the state or any office, department or institution thereof, or

any county, municipality or other body politic and the public utility affected may be interested when arising under the provisions of this act or amendments thereto, and such findings, when so introduced, shall be conclusive evidence of the facts therein stated, as of the date therein stated, under conditions then existing, and such facts can only be controverted by showing a subsequent change in conditions bearing upon the facts therein determined. The commission may, from time to time, cause further hearings and investigations to be had for the purpose of making revaluations or ascertaining the values of any betterments, improvements, additions or extensions made by any public utility subsequent to any prior hearing or investigation and may examine into all matters which may change, modify or affect any finding of fact perviously made, and may at such time make findings of fact supplementary to those theretofore made. Such hearings shall be had upon the same notice and be conducted in the same manner and the findings so made shall have the same force and effect as in provided herein for such original, notice, hearings and findings; provided, that such findings made at such supplemental hearings or investigations shall be considered in connection with and as a part of the original findings, except in so far as such supplemental findings shall change or modify the findings made at the original hearing or investigation.

After the first day of January, 1914, all the powers of the executive council of the State of Iowa as now provided by law, to value the property of public utilities for the purpose of taxation shall be transferred to the commission, and all the provisions of the law relating to the filing of reports and statements by said public utilities with said executive council for the purpose of assisting them to value said property, shall be applicable to the commission instead of said executive council after said date, and the utilities shall not be required to file duplicate reports with the executive council thereafter. The commission shall send certified copies of said values to the executive council or tax commission, or any other state tribunal, having jurisdiction over the state taxes and assessable values of said property on or before the first secular day of July in each year, commencing with the year 1914. The said values as found by the public service commission shall be evidence before the executive council, tax commission, or other tribunal, and in all courts of the state of the assessable values of said properties for taxation purposes.

In determining the said values the commission shall consider all the factors now prescribed by statute, or which shall be deemed by it, as proper for consideration in determining values for taxation purposes, and shall give such weight to said factors as in the judgment of the members of said commission is fair and just.

The value of all franchises, right or privileges granted to a public utility by the state, or by a political subdivision thereof, shall be appraised and included in valuations made by the commission for taxation purposes.

Senator Francis withdrew the substitute offered by him yesterday for the substitute offered by Senator Allen to section 40.

The substitute as amended, offered by Senator Allen to section 40 was adopted.

Upon request of Senator Kimball, unanimous consent was given to invite Mr. M. H. Anderson of Hancock, Iowa, termed the "Iowa Poet," to favor the Senate with a reading.

Mr. Anderson appeared before the Senate and recited "Creation" and "Iowa."

Senator Thomas moved that Senate File No. 1 be made a special order for Tuesday April 1st, at 10 o'clock A. M.

Carried.

Senator Thomas moved that the Senate do now adjourn until 1:30 P. M., today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M.

President Harding 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. 173, a bill for an act to amend the law authorizing the sale of intoxicating liquors by permit holders as the same appears in sections 2385, 2387, 2391, 2394, 2495, 2396, 2397 of the Code, and sections 2386, 2390, 2392, and 2401 of the Supplement to the Code, 1907, as amended by chapter 139 of the acts of the Thirty-third General Assembly and chapter 103 of the acts of the Thirty-fourth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 226, a bill for an act to amend section 1660 of the Supplement to the Code, 1907, to aid county agricultural societies.

A. C. GUSTAFSON,
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. 276, a bill for an act to reimburse innocent persons who have or may be convicted of a felony and imprisoned in a penal institution in Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists on its amendments to the following bill:

Substitute for Senate File No. 44, a bill for an act to repeal the law as it appears in sections 5669-a, 5716, 5718-a28 of the Supplement to the Code, 1907, and in sections 5717 and 5718 of the Code and to enact substitutes therefor providing for the compensation and allowances of officers and employes of the reformatory at Anamosa and the penitentiary at Fort Madison asks a conference committee. Speaker of the House names as such committee on part of the House: Representatives Larrabee of Fayette, Dixon of Sac, Newcomb of Adams and Steelsmith of Osceola.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Concurrent Resolution, in which the concurrence of the Senate is asked:

House Concurrent Resolution granting the privilege of members of the Thirty-fifth General Assembly to purchase chair occupied by them during the session.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 262, a bill for an act to amend the law relating to county uniformity of text books as the same appears in section 2824 of the Code, and in section 2831, Supplement to the Code, 1907, and to repeal the law as it appears in section 2832, Supplement to the Code, 1907, relating to the same subject and to enact a substitute therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 175, a bill for an act to amend section 2348 of the Code relating to bounty on wolves.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 require foreign corporations owning or operating any public gas works, electric light plant, etc., located within the state of Iowa to comply with the laws governing the issuance of capital stock of domestic corporations and the making of reports by domestic corporations and to require said foreign corporations to obtain a permit to transact business within the state of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the Board of Railroad Commissioners to "Public Utilities Commission;" enlarging and prescribing its powers and duties; providing for the appointment of two (2)

additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the Board of Railroad Commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities.

Senator Farr offered the following amendment and moved its adoption:

I move to amend section thirty-four (34) by adding the following: "Provided, however, that nothing in this section contained shall be construed to cause any municipality to forfeit or pay a sum greater than fifty dollars ($50.00). But the forfeiture herein provided may be enforced against the officer or officers offending or failing to report."

Adopted.

Senator Chase offered the following amendment and moved its adoption:

Amend by striking out "D" of section 37 and insert the following as a substitute: "The commission shall have no power or authority to fix rates for any municipally owned public utility."

Amendment withdrawn.

Senator Kimball offered the following amendment and moved its adoption:

"I move to amend section 40 as amended, by striking out the clause "and requiring the setting aside of a depreciation and maintenance fund," from the amendment to section forty.

On the adoption of the amendment a roll call was demanded.

The ayes were:

Arney, Chase, Clarkson, Darrah, Doran, Farr, Fellows, Garrett, Kimball, Malmberg, Quigley, Ream, Schrup, Smith, White —15.

The nays were:

Ames, Balkema, Balluff, Boe, Cowles, Crist, DeWolf, Dunnegan, Francis, Gillete, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Mattes, Neal, Nye, Robinson, Savage, Sullivan, Taylor, Thomas, Webber, Wilson of Clinton—26.

Absent or not voting:

Allen, Crow, Jewell, McColl, McManus, Perkins, Sheean, Spaulding, Wilson of Appanoose—9.

So the amendment was lost.

Senator Jones moved that amendment found on page 1310 of Journal as follows, be added to section 40.

Amend section 40 by adding thereto the following: Provided, however, the powers in this act granted to the commission shall not apply to municipally owned utilities except in so far as such powers have to do requiring annual reports, prescribing uniform system of accounts and requiring the setting aside of a depreciation and maintenance fund, and the hearing and determining complaints specified in section 37, sub-division (d) of this act.

Senator Clarkson offered the following amendment to the amendment and moved its adoption:

"I moved to amend the amendment by striking out the words "depreciation and," in the fifth line.

Senator Chase raised the point of order that this matter was taken from section 40, by the adoption of a substitute, and therefore could not be replaced except by a motion to reconsider.

President held point of order not well taken.

The amendment offered by Senator Clarkson was lost.

On the adoption of the amendment of Senator Jones, a roll call was demanded.

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Cowles, Crist, DeWolf, Francis, Gillette, Hagemann, Hilsinger, Jones, Larrabee, Legel, Mattes, McColl, Neal, Nye, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Clinton—30.

The nays were:

Chase, Clarkson, Darrah, Doran, Dunnegan, Fellows, Garrett, Kimball, Quigley, Ream, Schrup, Sheean, Wilson of Appanoose —13.

Absent or not voting:

Crow, Farr, Heald, Jewell, Malmberg, McManus, Perkins—7.

So the amendment was adopted.

By unanimous consent, Senator Sullivan withdrew from consideration the amendments offered by him as appearing on page 1310 of the Journal and numbered 6.

Senator DeWolf offered the following amendment and moved its adoption:

I move to amend subdivision five (5) of section 41 by striking out the entire subdivision and substituting the following:

It is hereby declared necessary in order to promote the public good that every franchise, license or permit granted subsequent to September 1, A. D. 1873, by the state or by any municipality or other political subdivision of the state and under which a public utility is now being operated and also every franchise, license or permit granted prior to September 1, A. D. 1873, by any such municipality or other political subdivision of the state without authority by law so to do, and under which a public utility is now being operated, such franchise, license or permit being for the construction, operation or maintenance of any street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerating plant or telephone line shall be, and such franchises, licenses or permits are hereby so altered and amended as to constitute and to be indeterminate franchises, within the meaning of that term as defined in section two (2) of this act, and subject to all the terms and provisions of this act, and to the provisions that a municipality in which any such utility plant is situated, may purchase such plant in the manner and upon the terms

and conditions provided in this act; and that every such franchise, license or permit shall have the same force and effect as an indeterminate franchise hereafter granted to any such public utility as in paragraph four (4) of this section provided.

Adopted.

Senator DeWolf offered the following amendment and moved its adoption:

Amend subdivision six (6) of section forty-one (41) by inserting between the words "or" and "any" in line 89 the words "granted by" and

Also by inserting after the word "thereof" in line 89 the words "having authority so to do."

Adopted.

Senator Sullivan offered the following amendment and moved its adoption:

Amend section 42 by adding to division A of subdivision 2 of the section following:

"A-1. To determine reasonable rates, charges, classifications and schedules for services or supplies rendered and furnished by any public utility, other than a telephone utility, in said municipality. Said determination at to reasonable rates, charges, classifications and schedules shall be made by the council after a public hearing upon due notice granting to all interested parties ample opportunity to be heard. If during the progress of said hearing and before final submission thereof the public utilities interested shall file an application therefor, the council shall immediately petition the commission to establish the fair value of the public utility plant involved in said proceedings. The commission shall proceed at once to ascertain said vaue in the same manner as provided herein for valuation in case of a proposed purchase by a municipality, and shall send a certified statement to the said council of the value so found which shall be conclusive evidence of the fair value of said property, and the council shall determine the rates, charges, classifications or schedules based upon said value. Any utility dissatisfied with the rates and charges so fixed by the council may appeal to the commission and the commission shall have power to review the action of the council.

Senator Sullivan offered the following amendment to the above amendment offered by him and moved its adoption:

Insert the words "or board" after the word "council" wherever the word "council" appears in the amendment.

Adopted.

On the adoption of the amendment as amended, a roll call was demanded.

The ayes were:

Allen, Ames, Arney, Chase, Clarkson, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Malmberg, Mattes, McManus, Neal, Nye, Quigley, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton —35.

The nays were:

Balluff, Cowles, Crist, DeWolf, Dunnegan, Larrabee, Legel, Savage—8.

Absent or not voting:

Balkema, Boe, Jewell, McColl, Perkins, Ream, Webber—7.

Adopted.

Senator Crist offered the following amendment and moved its adoption:

I move to amend as follows: Strike out the period at the end of sub-division a1 of subdivision 2, of section 42, and insert in lieu thereof a comma and add thereto the following: "and fix and determine the fair and reasonable rates, charges, classifications and schedules. In case of appeal such rates, charges, classifications and schedules shall not go into effect until approved or fixed and determined by the commission.

Senator Francis offered the following amendment to the amendment and moved its adoption:

"I move to amend the amendment by striking out the last clause thereof.

Adopted.

The amendment of Senator Crist as amended was adopted.

Senator Chase offered the following amendment, and moved its adoption:

I move to amend by adding "E" to Section 43:

(E) If the municipality desires at any time to terminate any indeterminate franchise, it shall have a right, after the property has been appraised and condemned as herein provided, to designate a purchaser at the price and on the terms and conditions determined by the commission, and on the payment of the purchase price, the purchaser may take over the said plant at once, subject to the legal rights of such utility. Nothing in this act shall in any way affect the right of the state to modify or terminate the franchise granted hereunder, either by a proper action on the relation of the state, for persistent violations of this act or other legal grounds or by subsequent legislation. Nor shall anything in this act prevent the state from controlling the franchises granted hereunder and terminating the same at any time and nothing herein shall be deemed to create a contract, as far as such franchises are concerned, with any public utility. The right to any and all such franchises is hereby expressly reserved to the state.

On the adoption of the amendment, a roll call was demanded.

The ayes were:

Allen, Arney, Chase, Clarkson, Crow, Darrah, Doran, Farr, Fellows, Garrett, Heald, Kimball, Larrabee, Malmberg, McManus, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, White, Wilson of Appanoose—25.

The nays were:

Ames, Balkema, Balluff, Boe, Cowles, Crist, DeWolf, Dunnegan, Francis, Gillette, Hagemann, Hilsinger, Jones, Legel, Mattes, Taylor, Thomas, Webber—18.

Absent or not voting:

Jewell, McColl, Neal, Nye, Perkins, Savage, Wilson of Clinton —7.

So the amendment was adopted.

Senator Sullivan moved the adoption of the following amendment:

Amend subdivision 1 of section 43 as amended, by striking out all said subdivisions amended and inserting the following:

Any municipality in this state shall have the power subject to the provisions of this act to construct, acquire and operate, lease, manage or control a street railway, gas plant, electric plant, water plant, water

power plant, heating or refrigerating plant, wharf, ferry, toll bridge, telephone line or system, and in accordance with the provisions of this act to purchase by agreement from any public utility owning, or to acquire in the manner hereinafter set forth, any such street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerator plant, warehouse, wharf, ferry, toll bridge, telephone line or system then being operated in or serving such municipality. To carry out the provisions of this section, any such municipality shall have power and authority to incur an indebtedness in the purchase or construction of any such public utility in any sum not in excess of five per centum of the actual value of the taxable property of said municipality as shown by the last preceding assessment roll, and such municipalities may issue bonds or other evidence of indebtedness therefor. Any such municipality shall in addition to the above powers have the power to buy any such public utility subject to any incumbrance thereon in the form of outstanding mortgages, bonds, or other evidences of indebtedness, and to pledge the utility so purchased all improvements, extensions or additions thereto, and the surplus earning thereof to the payment of the purchase price of said utility. Provided, however, that no part of the funds of such city raised by general taxation shall be applied upon the purchase price of an utility purchased subject to outstanding indebtedness. They shall also have the power to lease, transfer, mortgage or otherwise encumber any municipally owned plant or any part thereof to secure the purchase price of said plant or to secure funds with which to make improvements, extensions or additions thereto or to apply upon the purchase price of other public utilities or utility, as the case may be, upon approval by a vote of the people in the manner as provided by law for the purchase of such utility.

Further consideration of the bill postponed.

Journal of March 27th was taken up, corrected and approved.

INTRODUCTION OF BILLS.

By Senator Hilsinger, Senate File No. 516.

A BILL for an Act to Legalize a Certain Election Held January 13, 1913, in Town of Miles, Jackson County, Iowa.

WHEREAS: The town council of the town of Miles, Jackson county, Iowa, pursuant to a petition signed by a majority of the qualified electors of the town of Miles, did hitherto call a special election of the voters of the town of Miles to vote on the question of building and constructing a water works system and the operation of the same, and

WHEREAS: A notice of the time and place of said election was given by publication in the Preston Times, a newspaper published in the town of Preston, Iowa, the nearest town to said town of Miles on December 12, 19 and 26, 1912, and January 2, 1913; there being no newspaper published in said town of Miles, and

WHEREAS: Out of the eighty-nine qualified voters residing in said town of Miles, Iowa, sixty-five voted in favor of said proposition and twelve voted against the same, and

WHEREAS: Doubt has arisen concerning the validity of the special election on the ground that the notice of said special election was not posted in three public places in said town of Miles, Iowa, two of which were the mayor's office and the post-office in said town, now therefore,

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the special election held at Miles, Jackson county, Iowa, on the 13th day of January, 1913, be, and the same is hereby legalized and declared legal and valid the same as though said notice had been posted at three public places within the said town of Miles, Iowa, one of which places was the mayor's office, and the other the post-office in said town, and as though the law had in all respects been complied with.

Sec. 2. Nothing in this act shall effect any 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 Register and Leader, a newspaper published at Des Moines, Iowa, and in the Preston Times, a newspaper published at Preston, Iowa, without expense to the state.

Read first and second time and referred to committee on Judiciary.

By Senator Allen, Senate File No. 517, a bill for an act repealing section 2024-l of the supplement to the code of Iowa of 1907, and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material accessible for general use for road improvement and providing punishment for use of said material for other than road purposes.

Read first and second time and referred to committee on Roads and Highways.

By Senator White, Senate File No. 518, a bill for an act to amend the law relating to the time within which appeals may be taken to the supreme court as the same appears in section forty-one hundred ten (4110) of the code and section fifty-four hundred forty-eight (5448) of the code as amended by chapter two hundred twenty-eight (228) of the acts of the Thirty-third General Assembly.

Read first and second time and referred to committee on Judiciary.

HOUSE MESSAGES CONSIDERED.

Senate File No. 44, a bill for an act to fix the compensation of the wardens and of certain officers and employes of the reformatory at Anamosa and the state penitentiary at Fort Madison, and to enlarge the support fund of said institutions; repealing sections five thousand seven hundred and seventeen (5717) and five thousand seven hundred and eighteen (5718) of chapter two (2), title twenty-six (XXVI) of the code and the law as found in sections five thousand seven hundred and sixteen (5716) and five thousand seven hundred and eighteen-a-twenty-eight (5718-a-28), chapter two (2), title twenty-six (XXVI) of the supplement to the code, 1907.

The president appointed as conference committee on part of the Senate on Senate File No. 44, Senators Heald, Chase, McManus and Sheean.

House File No. 262, a bill for an act to amend the law relating to county uniformity of text books as the same appears in section twenty-eight hundred twenty-four (2824), of the code, and in section twenty-eight hundred thirty-one (2831), supplement to the code, 1907, and to repeal the law as it appears in section twenty-eight hundred thirty-two (2832), supplement to the code, 1907, relating to the same subject and to enact a substitute therefor.

Read first and second time and referred to committee on Schools.

House File No. 173, a bill for an act to amend the law authorizing the sale of intoxicating liquors by permit holders as the same appears in sections twenty-three hundred eighty-five (2385), twenty-three hundred eighty-seven (2387), twenty-three hundred ninety-one (2391), twenty-three hundred ninety-four (2394), twenty-three hundred ninety-five (2395), twenty-three hundred ninety-six (2396), twenty-three hundred ninety-seven (2397), twenty-three hundred ninety-eight (2398) of the code, and sections twenty-three hundred eighty-six (2386), twenty-three hundred eighty-eight (2388), twenty-three hundred ninety (2390), twenty-three hundred ninety-two (2392), and twenty-four hundred one (2401) of the suplement to the code, 1907, as amended by chapter one hundred thirty-nine (139) of the acts of the Thirty-third General Assembly and chapter one hundred and tnree (103) of the acts of the Thirty-fourth (34th) General Assembly.

Read first and second time and referred to committee on Suppression of Intemperance.

Senate File No. 119, a bill for an act to require foreign corporations owning, controlling, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant or street railway located within the state of Iowa, or the business of such works, plants or railways or owning or controlling stock in any corporation owning, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant or street railway located in whole or in part within the state of Iowa or the business of such plants or railways to comply with the laws governing the issuance of capital stock of domestic corporations and the making of reports by domestic corporations and to require said foreign corporations to obtain a permit to transact business within the state of Iowa, and conferring upon courts of equity jurisdiction to dissolve and terminate corporations, works, plants or business violating this act and providing penalties for violation of this act.

Passed on file.

House File No. 226, a bill for an act to amend section sixteen hundred sixty (1660) of the supplement to the code, 1907, to aid county agricultural societies.

Read first and second time and referred to committee on Agriculture.

HOUSE CONCURRENT RESOLUTION.

WHEREAS: Several members of this House have expressed a desire to retain the chairs they have occupied during this and former sessions of the general assembly; therefore,

Be it Resolved by the House, the Senate concurring, that the custodian of the Capitol building be, and is hereby authorized to dispose of for cash to any member of the Thirty-fifth General Assembly, who may desire the chair occupied by him, for such price as will fully protect the state.

Passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 376, a bill for an act to legalize ordinances of the town of Ayrshire, Iowa, and authorizing the substitution of a new ordinance record in place of the original record.

Also:

Substitute for Senate File No. 231, a bill for an act to amend the law as it appears in chapter eighty-three (83) acts of the Thirty-third (33d) General Assembly, relating to the issuance of bonds in cities and towns.

Also:

Senate File No. 279, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-four (2724) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to admsson to the school for the deaf and to reports by county superntendents of deaf persons.

Also:

Senate File No. 127, a bill for an act to amend the law as it appears in section twenty-seven hundred and fifty-four (2754) of the Supplement to the Code, 1907, and section twenty-seven hundred fifty-six (2756) of the Code relating to the election of officers in independent school districts in towns and cities, and the appointment of judges therefor in certain districts.

Also:

Senate File No. 139, a bill for an act to amend the law as it appears in section fifty-seven hundred seven (5707) of the Supplement to the Code, relating to the breaking of stone.

Also:

Senate File No. 205, a bill for an act requiring the teaching of elementary agriculture, domestic science, and manual training in the public schools, after a specified time.

Also:

Substitute for Senate File No. 219, a bill for an act to provide for the transfer to the city or town treasurer of unclaimed funds in the treasury of the county where such unclaimed funds are the proceeds of an invalid tax levied to pay for the construction of an electric light plant for such city or town, and making the same a part of the general fund of such city or town.

Also:

Substitute for Senate File No. 24, a bill for an act to appropriate money for the indemnity by way of compensation to Clara Bahls for personal injury sustained while working in the laundry department in the state institution for the deaf and dumb at Council Bluffs, Iowa.

JOHN H. TAYLOR,
Chairman.

Passed on file.

REPORT OF COMMITTEE.

Senator Nye, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred Senate File No. 408, a bill for an act to make an appropration for the payment of the expenses of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance at the final hearing in the case before the interstate commerce commission involving general advancement in rates, beg leave to report they have had the same under consideration and recommend the same be referred to committee on Appropriations with recommendation that the same do pass.

A. D. NYE,
Chairman.

Senator Nye moved the adoption of the report of the committee be adopted.

So the bill was referred to committee on Appropriations.

Senator Mattes moved that House File No. 259 be withdrawn from the committee on Judiciary and referred to committee on Appropriations.

Carried.

So the bill was referred to committee on Appropriations.

Senator Savage moved that the Senate do now adjourn until 9 o'clock A. M., tomorraw.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 29, 1913.

Senate met in regular session at 9 o'clock a. m., President Harding presiding.

Prayer was offered by Rev. Robert K. Porter, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Wilson of Clinton presented a remonstrance of citizens of Clinton county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator White presented a remonstrance of citizens of Iowa county opposing a permanent tax commisison.

Referred to committee on Ways and Means.

Senator White presented a remonstrance of citizens of Iowa county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Neal presented a remonstrance of citizens of Wellman, protesting against the abolishment of the commerce counsel.

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. 498, a bill for an act authorizing and directing the governor and secretary of state to execute a quit claim deed conveying to J. B. Keeler all of the right, title and interest of the state of Iowa in or to lots 4, 5 and 6 of section 13, township 99 north, range 23, west of the fifth P. M.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 require all persons, partnerships, companies or corporations owning or operating a railway in this state, to equip the cab of all locomotive engines with frost glass in front of the seat of the engineer and fireman of said engine, and providing a penalty for the violation thereof.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 legalize certain warrants of Iowa City, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 113, a bill for an act to amend section 2116 of the Supplement to the Code, 1907, as amended by chapter 128 of the acts of the Thirty-third General Assembly, prescribing the duties of railroad companies to furnish cars to shippers upon application.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 authorize and empower the governor of the state of Iowa to issue a land patent, attested by the secretary of state, to Albert Husa, conveying certain real estate in Johnson county Iowa, more particularly described as lot seven (7), block 55, Iowa City, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 255, a bill for an act to amend section 2773 of Supplement to the Code, 1907, relating to legal holidays in common schools.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 660, a bill for an act for the relief of the cyclone and flood sufferers of Iowa, Nebraska, Ohio and Indiana, and making an appropriation of $10,000 therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 fix the date of the counting of the votes for governor and lieutenant governor and fixing the date of the inauguration of governor and lieutenant governor.

A. C. GUSTAFSON,
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. 21, a bill for an act to repeal section 1869 of the Supplement to the Code, 1907, and to enact a substitute therefor, providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for a violation of the provisions of the law.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 repeal the law as it appears in section 1948 of the Supplement to the Code, 1907, and to repeal the law as it appears in section 1989-a15 of the Supplement to the Code, 1907, and to enact a substitute therefor, defining nuisances in construction of drainage ditches and making the obstruction of such ditches and levees a misdemeanor.

A. C. GUSTAFSON,
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. 316, a bill for an act to legalize the adoption of certain propositions at an election of the county of Wapello, state of Iowa, with the effect of authorizing the board of supervisors of said county to purchase land for an addition to the county home farm of said county, etc.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Legel by request, Senate File No. 519, a bill for an act to repeal section twenty-five hundred and ninety-three (2593) Supplement to the Code, 1907, as amended by chapter one hundred and sixty (160) acts of the Thirty-third General Assembly,

as amended by chapter one hundred and sixty-two (162) acts of the Thirty-third General Assembly, and enact a substitute therefor, relating to the practice of pharmacy.

Read first and second time and referre to committee on Pharmacy.

By Senator Balluff, Senate File No. 520.

A BILL for an Act to Legalize the Ordinances, Resolutions and Amendments to Ordinances and Resolutions Passed and Adopted by, and the Acts of the Town Council of the Town of Buffalo, Scott County, Iowa, Since the Passage of an Act Relating to the Organization of Cities and Towns, and Known as Chapter Twenty-six (26) of the Acts of the Thirty-second (32d) General Assembly of the State of Iowa.

WHEREAS: In the election of the members of the town council of the town of Buffalo, Scott county Iowa, held since the passage and going into effect of an act relating to the organization of cities and towns, known as chapter twenty-six (26) of the acts of the Thirty-second (32d) General Assembly of the state of Iowa, no notice has been taken of said act but elections have inadvertently been held and members of the town council elected without reference thereto but in accordance with the statutes previously existing in relation to such elections as if the said statutes were still in force and effect and unrepealed and unamended; and,

WHEREAS: As a result of such elections the town council of the town of Buffalo, in the county of Scott and state of Iowa, has since the taking effect of chapter twenty-six (26) of the acts of the Thirty-second (32d) General Assembly of the state of Iowa, and up to the 4th day of March, 1912, consisted of six councilmen instead of five as provided by said act; and,

WHEREAS: On the 4th day of March, 1912, one of the councilmen elected and serving as heretofore recited, resigned and ceased to act as one of the councilmen of such town and thereafter the council of said town consisted of five councilmen; and,

WHEREAS: Said six councilmen having qualified and filled the offices to which they respectively considered themselves elected, and performed the duties of councilmen of said town and have performed diverse official acts both as councilmen and members of the town council of the town of Buffalo, Scott county Iowa; and,

WHEREAS: The town council of said town has acted and proceeded in all matters as if six persons elected as aforesaid as councilmen, had been legally elected and were legally entitled to membership in the town

council of said town, and said town council so composed in whole or in part of six councilmen has undertaken to pass various ordinances and resolutions and to perform other official acts; and,

WHEREAS: Doubt has arisen as to the legality of all the ordinances, resolutions and amendments to ordinances and resolutions adopted by said town council of the town of Buffalo, Scott county Iowa, and as to the legality of all of its acts and proceedings as aforesaid by reason of six persons acting as councilmen; now, therefore,

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That all of the ordinances, resolutions and amendments to ordinances and resolutions passed by and the acts of the town council of the town of Buffalo, in the county of Scott and state of Iowa, and all the acts of the town council of the town of Buffalo, Scott county, Iowa, passed by said council since the passage of an act relating to the organization of cities and towns known as chapter twenty-six (26) of the Thirty-second (32d) General Assembly of the state of Iowa, and not in contravention of the laws of the state, are hereby legalized and declared to be valid and binding the same as if the aforesaid act had been in all respects strictly complied with in relation to the election of the number of members of said council required to be elected by the aforesaid act of the Thirty-second (32d) General Assembly of the state of Iowa.

Sec. 2. Nothing in this act shall affect any pending litigation.

Read first and second time and referred to committee on Judiciary.

By Senator Thomas, Senate File No. 521, a bill for an act to protect the lives, health, morals of women and minors, workers, establishing an industrial welfare commission for women and minors, prescribing its powers and duties, and providing for the fixing of minimum wages and the standard condition of labor for such workers and providing penalties for violation of the same.

Read first and second time and referred to committee on Labor.

By Senator Cowles, Senate File No. 522, a bill for an act to establish an insurance department, providing for an insurance commissioner, defining his duties, fixing his compensation and determining his term of office.

Read first and second time and referred to committee on Insurance.

Senator Hilsinger introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

Be it Resolved, by the Senate, the House concurring, that the Thirty-fifth General Assembly do adjourn sine die at twelve o'clock noon on Thursday, April 10, 1913.

G. E. HILSINGER,

Laid over under the rules.

Senator Savage introduced the following resolution:

Resolved, That the president of the Senate shall, immediately before adjournment Tuesday, April 1, 1913, appoint a sifting committee of seven members, to which shall be referred all bills, other than appropriation bills, and that beginning Wednesday morning, April 2, 1913, no bills, except appropriation bills and bills then upon the Senate calendar, shall be considered unless reported by said sifting committee. And no bills shall be reported or considered by the Senate that have been reported for indefinite postponement.

A. C. SAVAGE,

Laid over under the rules.

HOUSE MESSAGES CONSIDERED.

House File No. 498, a bill for an act authorizing and directing the governor and secretary of state to execute a quit claim deed conveying to J. B. Keeler all of the right, title and interest of the state of Iowa in or to lots four (4), five (5), and six (6) of section thirten (13), township ninety-nine (99), north, range twenty-three (23), west of the Fifth P. M.

Read first and second time and referred to committee on Judiciary.

House File No. 303, a bill for an act to require all persons, partnerships, companies or corporations owning or operating a railway in this state, to equip the cab of all locomotive engines with frost glass in front of the seat of the engineer and fireman of said engine, and providing a penalty for the violation thereof.

Read first and second time and referred to committee on Railroads.

House File No. 313, a bill for an act to legalize certain warrants of the city of Iowa City, Iowa.

Read first and second time and referred to committee on Judiciary.

House File No. 113, a bill for an act to amend section 2116 of the Supplement to the Code, 1907, as amended by chapter 128 of the acts of the Thirty-third General Assembly, prescribing the duties of railroad companies to furnish cars to shippers upon application.

Read first and second time and referred to committee on Railroads.

House File No. 524, a bill for an act to authorize and empower the governor of the state of Iowa to issue a land patent, attested by secretary of state, to Albert Husa, conveying certain real estate located in Johnson county, Iowa, more particularly described as lot seven (7), block fifty-five (55), Iowa City, Iowa.

Read first and second time and referred to committee on Judiciary.

House File No. 255, a bill for an act to amend section two thousand seven hundred and seventy-three (2773) of the Supplement to the Code, 1907, relating to legal holidays in common schools.

Read first and second time and referred to committee on Judiciary.

House File No. 660, a bill for an act for the relief of the cyclone and flood sufferers of Iowa, Nebraska, Ohio, and Indiana, and making an appropriation of ten thousand dollars ($10,000.00) therefor.

Read first and second time and referred to committee on Appropriations.

Senate File No. 21, a bill for an act to repeal section 1869 of the Supplement to the Code, 1907, and to enact a substitute therefor, providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for a violation of the provisions of the law.

Senator Wilson of Clinton moved that the Senate concur in the following House amenment to Senate File No. 21:

HOUSE AMENDMENT.

By striking out of the fourth line of section one the words "and directors" and by adding after the comma (,) following the word "by-laws" in the sixth line of section one the words "or by vote of the board of directors, provided, however, directors as such shall receive only such reasonable compensation as shall be fixed from year to year by the stockholders at their annual meeting and when approved by the auditor of state."

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, Dunnegan, Farr, Garrett, Gillette, Hagemann, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wison of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, Crist, DeWolf, Doran, Fellows, Francis, Heald, Jewell, Larrabee, McColl, Smith, Taylor—12.

So the House amendments having received a constitutional majority were declared concurred in.

HOUSE MESSAGES CONSIDERED.

Senate File No. 316, a bill for an act to legalize the adoption of certain propositions at an election of the county of Wapello, state of Iowa, with the effect of authorizing the board of supervisors of said county to purchase land for an addition to the county home farm of said county, and to incur indebtedness for the purchase of such land, and to levy a continuing annual tax to provide for the payment of such indebtednes.

Senator Webber moved that the Senate concur in the House amendment:

SENATE FILE NO. 316—HOUSE AMENDMENT.

Strike out the words "Des Moines" in line 3 of section 2.

On the question, "Shall the Senate Concur in House amendment?"

The ayes were:

Arney, Balkema, Balluff, Boe, Cowles, Crow, Darrah, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Kimball, Larrabee, Legel, Mattes, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Ames, Chase, Clarkson, Crist, DeWolf, Doran, Francis, Heald, Jewell, Jones, Malmberg, McColl, Perkins, Smith—15.

So the House amendments having received a constitutional majority were declared concurred in.

REPORTS OF COMMITTEES.

Senator Hilsinger, from the committee on Board of Control and its Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred House File No. 375, a bill for an act to authorize the sale and conveyance of that part of the W. ½ of the S. W. ¼ of section 19 in township 78, north of range 4, east of fifth principal meridian, bounded by lines described as follows: Commencing at a point in the east boundary line of said W. ½ of S. W. ¼ 23.12 chains N. of the S. W. corner of said W. ½ of S. W. ¼, thence running W. 5 chains, thence north 9 chains, thence E. 5 chains to said E. boundary line, thence S. along said boundary line to beginning, beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions to whom was referred Senate File No. 284, a bill for an act to amend the law as it appears in sections 2727-a58, 2727-a59, 2727-a60, 2727-a62 and to repeal section 2727-a63 of the Supplement to the Code, 1907, and to enact a substitute therefor; all relating to the powers of the board of control, beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions, to whom was referred House File No. 260, a bill for an act to amend section two thousand seven hundred twenty-seven-c (2727-c) of chapter eleven-a (11-a) Supplement to the Code, 1907, relating to school for blind, beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Senator Balkema, from the committee on Roads and Highways, submitted the following report:

MR. PRESIDENT—Your committee on Roads and Highways, to whom was referred Senate File No. 479, a bill for an act authorizing the board of supervisors to make changes in highways, providing the procedure for such changes and manner of paying therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

N. BALKEMA,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Roads and Highways, to whom was referred Senate File No. 480, a bill for an act to amend sections three (3) and eight (8) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to township and county levies for road purposes, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out section one (1) and renumbering it, making section two (2) section one (1), and when so amended the bill do pass.

N. BALKEMA,
Chairman.

Ordered passed on file.

Senator Quigley, from the commitee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your committee on Fish and Game, to whom was referred Senate File No. 320, a bill for an act to amend section two thousand five hundred forty (2540) of the Code, relating to the propagation of fish and the protection of birds and game, beg leave to report they have had the same under consideration and recommend the same be reported for indefinite postponement.

ROBERT QUIGLEY,
Chairman.

Senator Quigley moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Fish and Game, to whom was referred Senate File No. 295, a bill for an act to amend the law as it appears in section 9, chapter 153, acts of the Thirty-third General Assembly, relating to protection of fish and game, and to amend the law as it appears in chapter 116 of the acts of the Thirty-fourth General Assembly, relating to compensation of fish and game warden, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the words and figures "three thousand dollars ($3,000.00)" in the last line, and inserting in lieu thereof the words and figures, "twenty-four hundred dollars ($2,400.00)"; and when so amended the bill do pass.

ROBERT QUIGLEY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Fish and Game, to whom was referred Senate File No. 495, a bill for an act to amend section 2561, Supplement to the Code, 1907, for the protection of birds, and providing for enforcement, beg leave to report they have had the same under consideration and recommend the same do pass.

ROBERT QUIGLEY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Fish and Game, to whom was referred House File No. 653, a bill for an act to repeal section three (3) of chapter one hundred eighteen (118) of the acts of the Thirty-fourth General Assembly, providing for the distraint of deer; and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

ROBERT QUIGLEY,
Chairman.

Ordered passed on file.

Senator Savage from the committee on Public Schools submitted the following report:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred House File No. 175, a bill for an act to amend section 2732 of chapter 12, title XIII, of the Supplement to the Code, 1907, regulating the conduct of pupils of the county high schools and forbidding the use of tobacco by such pupils, beg leave to report they have had the same under consideration and recommend the same do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred House File No. 438, a bill for an act to amend section twenty-seven hundred ninety-two (2792) of the Code relating to the restoration of territory to the school district from which it has been taken, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Judiciary.

A. C. SAVAGE,
Chairman.

Senator Savage moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Judiciary.

Senator Cowles called up for consideration the motion filed on March 19th by Senators Perkins and Spaulding to reconsider the vote by which Senate File No. 92 passed the Senate.

Senator Clarkson arose to the point of order that the motion to reconsider was not in the power of the Senate as bill was now before the House for consideration.

The president held the point of order was well taken and the first step would be for the return of the bill from the House before action could be taken further.

Secretary of the Senate was ordered to request of the House the return of Senate File No. 92.

Senator Cowles moved that the Senate request of the House the return to the Senate of Senate File No. 92.

Carried.

Senator Cowles moved that the reconsideration of Senate File No. 92 be made a special order for 11 o'clock today.

Carried.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the Board of Railroad Commissioners to "Public Utilities Commission;" enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the Board of Railroad Commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional poyers; also providing for physical valuation of public utilities by said commission and giving said commision authority to fix rates and regulate extensions of public utilities.

Senator Sullivan moved the adoption of the following amendment:

Amend subdivision 1 of section 43 as amended, by striking out all said subdivisions amended and inserting the following:

Any municipality in this state shall have the power subject to the provisions of this act to construct, acquire and operate, lease, manage or control a street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerator plant, wharf, ferry, toll bridge, telephone line or system, and in accordance with the provisions of this act to purchase by agreement from any public utility owning, or to acquire in the manner hereinafter set forth, any such street railway, gas plant,

electric plant, water plant, water power plant, heating or regrigerator plant, warehouse, wharf, ferry, toll bridge, telephone line or system then being operated in or serving such municipality. To carry out the provisions of this section, any such municipality shall have power and authorty to incur any indebtedness in the purchase or construction of any such public utility in any sum not in excess of five per centum of the actual value of the taxable property of said municipality as shown by the last preceding assessment roll, and such municipalities may issue bonds or other evidence of indebtedness therefor. Any such municipality shall in addition to the above powers have the power to buy any such public utility subject to any incumbrance thereon in the form of outstanding mortgages, bonds, or other evidences of indebtedness and to pledge the utility so purchased, all improvements, extensions or additions thereto, and the surplus earning thereof to the payment of the purchase price of said utility. Provided, however, that no part of the funds of such city raised by general taxation shall be applied upon the purchase price of an utility purchased subject to outstanding indebtedness. They shall also have the power to lease, transfer, mortgage or otherwise encumber any municipally owned plant or any part thereof to secure the purchase price of said plant or to secure funds with which to make improvements, extensions or additions thereto or to apply upon the purchase price of other public utilities or utility, as the case may be, upon approval by a vote of the people in the manner as provided by law for the purchase of such utility."

Senator Crist offered the following amendment to the amendment offered by Senator Sullivan and moved its adoption:

"I move to amend the amendment to section 43, being amendment 11 of the Journal, by striking out after the word "to" in line 26 the following; "lease, transfer" and insert in lieu thereof the following "sell, lease or transfer, and to transfer."

Adopted.

Senator Francis offered the following amendment to the amendment No. 11, offered by Senator Sullivan and moved its adoption:

I move to amend the Sullivan amendment No. 11 by adding thereto the following:

"Provided, however, that in no event shall the amount of encumbrance mortgages, bonds or other evidences of indebtedness against such utility when purchased, nor the amount of any mortgage or encumbrance thereafter executed thereon, exceed two-thirds of the value of such utility as fixed and cofirmed by the commission. Any municiapality desiring to purchase a utility subject to encumbrance or to execute an incumbrance thereon shall place before the commission the facts with reference thereto, and the commission shall thereupon fix such value for the purposes of this specific provision and certify same to such municipality."

Adopted.

The amendment of Senator Sullivan as amended was adopted.

Senator Smith offered the following amendment and moved its adoption:

I move to amend section 40, as amended, as follows:

Add thereto the following:

The words "depreciation and maintenance" fund as used in the last paragraph hereof shall be construed to mean such fund only as shall be required for the upkeep and repair of such publicly owned utilities.

Adopted.

Senator Francis offered the following amendment and moved its adoption:

"I move to amend by striking out the first sentence in the amendment to section 52 and substituting therefor the following:

"Every finding order or decision of the commission shall be conclusively deemed fair, reasonable, just and legel.

Lost.

Senator Farr offered the following amendment and moved its adoption:

I move to amend section 52 by striking out "Polk county, Iowa," in the last line thereof and inserting in lieu thereof the following, "the county in which the controversy arises."

Adopted.

Senator Sullivan offered the following amendment and moved its adoption:

Amend section 61 by adding thereto: "Nothing, however, in this section or any other section of this bill shall be held to repeal any of the provisions of section 1619 of the Code and all of the provisions of said section pertaining to franchises shall be held to apply to the franchises granted under the provisions of this act to the same extent and with the same force and effect as though said section was written into this act.

Adopted.

Senator Sullivan offered the following amendment and moved its adoption:

Amend section 62 by adding to said section the following: "Nor shall the provisions of this or any other section of this act be held to effect pending litigation."

Adopted.

Senator Farr offered the following amendment and moved its adoption:

"I move to amend section 61 by adding the following:

"The passing of this act shall not be construed to have granted to any public utility any vested right.

"No owner of any public utility shall hereafter be allowed to claim that the taking effect of this act has bestowed upon such utility or the owner thereof of any vested right."

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has granted the requested of the Senate and herewith returns Senate File No. 92, a bill for an act authorizing the giving of annuities to disabled and retired public school teachers, etc.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

The time having arrived for Special Order, Senate File No. 92, a bill for an act authorizing the giving of annuities to disabled and retired public school teachers of all rural and urban public schools, creating a fund from which to pay such annuities and providing for the distribution thereof, creating a board of trustees to care for such annuity fund and prescribing their powers and duties, and authorizing the retiring from service of public school teachers under certain conditions, was taken up and considered.

The question was upon the motion filed by Senators Perkins and Spaulding on March 19th, to reconsider the vote by which Senate File No. 92 passed the Senate and the vote calling for the previous question.

Senator Smith moved the previous question.

Carried.

On the motion to reconsider a roll call was demanded.

Those favoring the motion were:

Ames, Balkema, Boe, Chase, Clarkson, Darrah, Doran, Farr, Fellows, Jones, Larrabee, Legel, Mattes, McColl, Nye, Schrup, Smith, Webber—18.

The ayes were:

Allen, Arney, Balluff, Cowles, Crist, Crow, DeWolf, Dunnegan, Francis, Garrett, Gillette, Hagemann, Heald, Hinsinger, Kimball, Malmberg, McManus, Neal, Perkins, Quigley, Ream, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—27.

Absent or not voting:

Jewell, Robinson, Savage, Sheean, Spaulding—5.

So the motion was lost.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the board of railroad commissioners to "public utilities commission;" enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the board of railroad commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conict wflith this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilties by said commission and giving said commission authority to fix rates and regulate extensions of public utilities.

The amendment offered by Senator Farr was adopted.

Amendments Nos. 7 and 8 offered by Senator Farr on March 26th were withdrawn.

Senator Farr offered the following amendment and moved its adoption:

"I move to amend section 61 by adding the following:

"Provided, however, that nothing in this act contained shall take away any right that any municipality may at this time have reserved in any franchise heretofore granted to any public utility, or any contract with any public utility."

Adopted.

Senator Gillette was called to the chair at 11:45.

The bill was read for information.

Senator Crist moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed unanimously.

A roll call was demanded to ascertain the presence of a quorum.

Those present were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—44.

Absent:

Arney, Jewell, Savage, Sheean, Spaulding, Webber—6.

Quorum was declared present.

On the question, "shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Boe, Clarkson, Cowles, Crist, Darrah, DeWolf, Dunnegan, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream, Robinson, Smith, Sullivan, Taylor, Thomas, White—33.

The nays were:

Chase, Crow, Doran, Garrett, McManus, Quigley, Schrup, Wilson of Appanoose, Wilson of Clinton—9.

Absent or not voting:

Arney, Balluff, Farr, Jewell, Savage, Sheean, Spaulding, Webber—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

EXPLANATIION OF VOTE.

MR. PRESIDENT—I vote "yea" on this bill because I believe that we should have a law upon our statute books regulating public utilities. The bill is not one that conforms to my idea as to what the law should be upon this important subject, especially with reference to granting to the commission the right to determine the granting of franchise, but with the hope that the bill will ultimately go to a conference committee who will be enabled to correct and perfect the same.

I vote "yea." Otherwise, when the bill is returned from the House as I believe it will be I shall then vote against the bill.

JOHN T. CLARKSON.

Senator Crist moved that the vote by which Senate File No. 306 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Carried.

On request of Senator Wilson of Appanoose leave of absence was granted Senator Spaulding until Monday noon.

On request of Senator Wilson of Clinton leave of absence was granted Senator Sheean for the day.

On request of Senator Heald leave of absence was granted Senator Savage for the day.

INTRODUCTION OF BILLS.

By Senator Jones, Senate File No. 523, a bill for an act to increase the salary of the chief executive officer of the institution for feeble-minded children at Glenwood, Iowa, amendatory of the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the Supplement to the Code, 1907.

Read first and second time and referred to committee on Compensation of Public Officers.

By Senator Perkins, Senate File No. 524, a bill for an act to amend section twenty-four hundred three (2403) of the Code relative to the sale of intoxicating liquors.

Read first and second time and referred to committee on Suppression of Intemperance.

By Senator Heald, Senate File No. 525, a bill for an act to amend section five thousand seventy-seven (5077) of the Code relating to evidence necessary to convict persons guilty of frauds upon hotel, inn or boarding house keepers.

Read first and second time and referred to committee on Judiciary.

By Senator Heald, Senate File No. 526, a bill for an act to repeal section eighten hundred and eighty-one (1881) of the Code and to enact a substitute therefor relating to the report by the auditor of state to the governor of the condition of banks.

Read first and second time and referred to committee on Banks and Banking.

By Senator Hilsinger, Senate File No. 527, a bill for an act to amend section two thousand five hundred sixty-one (2561) as it appears in the Supplement to the Code, 1907, for the protection of birds.

Read first and second time and referred to committee on Fish and Game.

By Senator Mattes, Senate File No. 528, a bill for an act providing that owners of threshing machines shall have a lien upon the grain threshed therewith for the charge made for threshing said grain.

Read first and second time and referred to committee on Judiciary.

By Senator Kimball, Senate File No. 529, a bill for an act enabling Mrs. C. C. Platner, and Mrs. George Wilson, to share in the policeman's pension fund of the city of Council Bluffs, Iowa.

Read first and second time and referred to committee on Judiciary.

By Senator Thomas, Senate File No. 530, a bill for an act to amend the law relating to the selection of school text books, as it appears in sections twenty-eight hundred thiry-one (2831), wenty-eight hundred thirty-two (2832) Supplement to the Code, 1907, and wenty-eight hundred thirty-four (2834) of the Code.

Read first and second time and referred to committee on Schools.

By Senator Thomas, Senate File No. 531, a bill for an act to provide for the registration of highway routes, together with the names, color combinations and designs used in marking the same; prohibiting the duplications thereof; and providing penalties for the violation of this act.

Read first and second time and referred to committee on Roads and Highways.

By Senator Thomas, Senate File No. 532, a bill for an act to prohibit the shipment and delivery of intoxicating liquors to anyone but those entitled to buy, keep or sell the same under the laws of the state, and providing penalties for the violation thereof.

Read first and second time and referred to committee on Suppression of Intemperance.

By Senator Clarkson, Senate File No. 533, a bill for an act relating to the recovery of damages in personal injury cases.

Read first and second time and referred to committee on Judiciary.

By Senator DeWolf, Senate File No. 534, a bill for an act to authorize the construction of a business men's coliseum and convention hall over the Cedar river in the city of Waterloo, Iowa.

Read first and second time and referred to committee on Judiciary.

By Senator Malmberg, Senate File No. 535, a bill for an act to define and regulate the sale of nursery stock, to prevent misrepresentation of the same, and providing a penalty for the violation of this act or any section thereof.

Read first and second time and referred to committee on Horticulture and Forestry.

REPORTS OF COMMITTEES.

Senator Savage, from the committee on Public Schools, submitted the following report:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 227, a bill for an act to amend section 1072, 2742 and 1272, Supplement to the Code, 1907, relating to the office of county superintendents; to repeal section 2734-b, Supplement to the Code, 1907, relating to county superintendents of schools and to provide for selection, qualifications, duties and compensation of county superintendents of schools, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend section 2 by striking it out and enacting in lieu thereof the following: Sec. 2. That section twenty-seven hundred forty-two (2742), Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof: "He shall receive a salary of fifteen hundred dollars a year, the expenses of necessary office stationery and postage, and those incurred in attendance upon meetings called by the superintendent of public instruction; claims therefor to be made by verified statements filed with the county auditor, who shall draw his warrant upon the county treasurer therefor, and the board of supervisors may allow him such further sum by way of compensation as may be just and proper."

Amend section 3 by inserting in the fourteenth (14th) line thereof of the printed bill after the word "appoint" the following: "with the consent and approval of the board of supervisors."

Amend section 3 by striking out in the sixteenth (16th) and seventeenth (17th) lines thereof of the printed bill the words, "representatives in convention assembled," and insert in lieu thereof the following: "board of supervisors"; and when so amended the bill do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Senator Darrah, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 502, a bill for an act to amend the law relating to primary elections as the same appears in section ten hundred eighty-seven-a one (1087-a1), ten hundred eighty-sevena-10 (1087-a10), ten hundred eighty-seven-a-twenty-five (1087-a25), ten hundred eighty-seven-a-twenty-six (1087-a26), ten hundred eighty-seven-a-twenty-seven (1087-a27) and ten hundred eighty-seven-a-thirty (1087-a30) Supplement to the Code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend the title by inserting after the last word of said title and before the period following said word the following: "And chapter fifty-nine (59) of the acts of the Thirty-fourth General Assembly."

And amend said bill by adding thereto as an additional section thereof the following:

"Sec. 7. That the law as it appears in chapter fifty-nine (59) of the acts of the Thirty-fourth General Assembly be and the same is hereby amended by striking from line twenty-seven (27) thereof the word "ten" and by inserting in lieu thereof the word "fifteen"; and when so amended the bill do pass.

JOHN H. DARRAH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 455, a bill for an act to amend section five (5), chapter sixty-nine (69), of the acts of the Thirty-third General Assembly, relating to the publication of primary ballot, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN H. DARRAH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 504, a bill for an act to amend the law relating to the form of ballot to be used in the general election as the same appears in section eleven hundred six (1106) of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN H. DARRAH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred House File No. 110, a bill for an act to provide for the nomination of district judges in judicial districts composed wholly of one county and having a population of seventy-five thousand (75,000) or more at the primary election, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN H. DARRAH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 417, a bill for an act providing for the election of United States senators by a vote of the people, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE BILL FOR SENATE FILE NO. 417.

A BILL for an Act Providing for the Election of United States Senators by the Vote of the People.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. At the first general election and at the primary preceding held after the proposed amendment to section 3, article I, of the constitution of the United States providing for direct election of United States senators shall have been ratified and made a part of the constitution of the United States, and at every general election and at the primary preceding, held thereafter, provided said general election is one preceding which the term of United States senator from this state shall expire, or when there is a vacancy in the office of United States senator from this state, there shall be nominated and elected a United States senator or senators, as the case may be, in the manner now provided by law for the nomination and election of state officers and all provisions of the law pertaining to the nomination and election of state officers, congressmen and presidential electors shall apply to the nomination and election of United States senators in so far as the same shall apply, the same as though the words United States senator was specifically written therein; and when so amended the bill do pass.

JOHN H. DARRAH,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred House File No. 242, a bill for an act to amend section ten hundred and seventy-six (1076) of the Supplement to the Code, 1907, relating to the registration of voters, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

JOHN H. DARRAH,
Chairman.

Senator Darrah moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 311, a bill for an act to amend the law as it appears in section forty-nine hundred ninety-nine-a-four (4999-a4) of the Supplement to the Code, 1907, providing for the safety and comfort of laborers and other persons assembled in factories and buildings.

Also:

Senate File No. 166, a bill for an act to amend section forty-four hundred twenty (4420) of the Code relating to applications for writs of habeaes corpus.

Also:

Senate File No. 353, a bill for an act providing for the record title of lands granted to the Dubuque and Pacific Railroad company.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 311, a bill for an act to amend the law as it appears in section forty-nine

hundred ninety-nine-a-four (4999-a4) of the Supplement to the Code, 1907, providing for the safety and comfort of laborers and other persons assembled in factories and buildings.

Also:

Senate File No. 166, a bill for an act to amend section forty-four hundred twenty (4420) of the Code relating to applications for writs of habeaes corpus.

Also:

Senate File No. 353, a bill for an act providing for the record title of lands granted to the Dubuque and Pacific Railroad company.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

Senator Boe filed the following motion:

I move that House File No. 25 be recalled from the committee on Suppression of Intemperance and placed on the Calendar.

L. W. BOE.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENNT—I am directed to inform your honorable body that the House has adopted the Senate Concurrent Resolution, relative to the appointment of a committee to investigate the fire protection and needed repairs of the capitol and surrounding state buildings who shall report to the Senate not later than Saturday, April 15, 1913. The Speaker appoints as such committee on the part of the House: Representatives Jacobson of Audubon, Well of Clay, and Bauman of Van Buren.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists on its amendments to Senate Concurrent Resolution relative to the allowance of attorney fees in the case of contested elections, and asks a conference committee, and the Speaker has appointed such committee on the part of the House: Larrabee of Fayette, Jones of Dickinson, Halgrims of Humboldt, and Hazen of Pottawattamie.

A. C. GUSTAFSON,
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. 226, a bill for an act to repeal the law as it appears in sections 2591 and 2692 of the Supplement to the Code, 1907, and to enact a substitute therefor to provide for the support of the Iowa Soldiers' Orphans' Home.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House Joine Resolution, in which the concurrence of the Senate is asked:

House Joint Resolution No. 3, proposing an amendment to the constitution of the state of Iowa, repealing section 7 of article 2 of said constitution and proposing a substitute therefor, relative to and providing for the time of holding general elections.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 271, a bill for an act relating to the protection of employes on street railways, enclosing platforms and vestibules, and providing for the heating of same, and providing for seats for certain employes and providing for toilet facilities for employes.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 537, a bill for an act to amend chapter 227 of the acts of the Thirty-third General Assembly, amendatory of section 5289 of the Code, relating to the sufficiency of indictments and the waiver of objections thereto.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 418, a bill for an act to repeal section 10 of chapter 26 acts of the Thirty-third General Assembly of the state of Iowa, and to enact a substitute therefor, relating to the maintenance of county hospitals.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 indemnify H. C. Jackson for personal injury sustained by him while employed as head farmer at the state hospital at Mt. Pleasant, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 121, a bill for an act to amend the law as it appears in chapter 142 of the acts of the Thirty-third General Assembly, relating to the number of persons to whom city or town councils may by resolution grant consent to sell intoxicating liquors and making the same apply to cities under special charters.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

Senate File No. 121, a bill for an act to amend the law as it appears in chapter 142 of the acts of the 33d General Assembly relating to the number of persons to whom city or town councils may by resolution grant consent to sell intoxicating liquors and making the same apply to cities under special charters.

Passed on file.

House File No. 124, a bill for an act to indemnify H. C. Jackson for personal injury sustained by him while employed as head farmer at the state hospital at Mt. Pleasant, Iowa.

Read first and second time and referred to committee on Claims.

House File No. 418, a bill for an act to repeal section ten (10) of chapter twenty-six (26), acts of the Thirty-third (33d) General Assembly, and to enact a substitute therefor, relating to the maintenance of county hospitals.

Read first and second time and referred to committee on Public Health.

House File No. 537, a bill for an act to amend chapter two hundred twenty-seven (227) of the acts of the Thirty-third General Assembly, amendatory of section five thousand two hundred eighty-nine (5289) of the code, relating to the sufficiency of indictments and the waiver of objections thereto.

Read first and second time and referred to committee on Judiciary.

House File No. 271, a bill for an act relating to the protection of employees on street railway, enclosing platforms and vestibules, and providing for the heating of same, and providing for seats for certain employees and providing for toilet facilities for employes, amendatory of section seven hundred sixty-eight (768) of the supplement to the code.

Read first and second time and referred to committee on Railroads.

HOUSE JOINT RESOLUTION NO. 3.

JOINT RESOLUTION Proposing an Amendment to the Constitution of the State of Iowa, Repealing Section Seven (7) of Article Two (2) of Said Constitution and Proposing a Substitute Therefor, Relating to and Providing for the Time of Holding General Elections.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the following amendment to the constitution of the state of Iowa be and the same is hereby proposed:

To repeal section seven (7) of article two (2) of the constitution of Iowa and to adopt in lieu thereof the following, to-wit:

"The general election for state, district, county and township officers in the year 1916 shall be held in the same month and on the same day as that fixed by the laws of the United States for the election of presi-

dential electors, or of president and vice-president of the United States; and thereafter such election shall be held at such time as the general assembly may by law provide."

Sec. 2. That the foregoing amendment to the constitution of the state of Iowa be, and the same is hereby referred to the legislature to be chosen at the next general election for members of the general assembly, and that the secretary of state cause the same to be published as provided by law.

Read first and second time and referred to committee on Constitutional Amendments and Suffrage.

Senate File No. 226, a bill for an act to repeal the law as it appears in sections twenty-six hundred ninety-one (2691) and twenty-six hundred ninety-two (2692) of the supplement to the code of 1907, and to enact a substitute therefor to provide for the support of the Iowa Soldiers' Orphans' Home.

HOUSE AMENDMENT.

Amend section 1 by striking out the word and figures "section 2691" in line 4.

Amend section 2 by striking out the word and figures "section 2692" in line 4.

Amend by striking out section 3, the publication clause.

Passed on file.

SENATE CONCURRENT RESOLUTION.

Concurrent resolution relative to allowance of attorney fees in case of contested elections.

Passed on file.

Journal of March 28th was taken up, corrected, and approved.

Senator Sullivan moved that when the Senate adjourn it be until 9 o'clock Monday morning.

Carried.

Senate went into executive session.

Senate arose from executive session.

Senator Sullivan moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 31, 1913.

Senate met in regular session at 9 o'clock a. m., President Harding presiding.

Prayer was offered by L. L. Couse, Decorah, Iowa.

PETITIONS AND MEMORIALS.

Senator Wilson of Appanoose presented a remonstrance of citizens of Appanoose county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Sullivan presented a petition of civil engineers of Des Moines urging passage of Senate File No. 434, relating to licensing civil engineers.

Refered to committee on Judiciary.

On request of Senator Crow leave of absence was granted Senator Chase for the day.

REPORTS OF COMMITTEES.

Senator Ames, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred House File No. 513, a bill for an act to prohibit the importation of diseased bees, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. AMES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred House File No. 226, a bill for an act to amend section sixteen hundred

sixty (1660) of the Supplement to the Code, 1907, to aid county agricultural societies, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. AMES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate File No. 365, a bill for an act to prevent fraud in the manufacture and sale of commercial fertilizers, providing for licensing of such products and making provision for enforcement, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. L. AMES,
Chairman.

Senator Ames moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

THIRD READING OF BILLS.

On motion of Senator Balluff, Senate File No. 226, a bill for an act to repeal the law as it appears in sections twenty-six hundred ninety-one (2691) and twenty-six hundred ninety-two (2692) of the supplement to the code of 1907, and to enact a substitute therefor to provide for the support of the Iowa Soldiers' Orphans' Home, was taken up and considered.

Senator Balluff moved that the Senate concur in the following House amendments.

"Amend section 1 by striking out the word and figures "section 2691" in line 4."

Amend section 2 by striking out the word and figures "section 2692" in line 4.

Amend by striking out section 3, the publication clause.

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Clarkson, Cowles, Darrah, Doran, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, McColl, Neal, Nye, Quigley, Ream, Robinson, Spaulding, Sullivan, Wilson of Appanoose, Wilson of Clinton—28.

The nays were:

None.

Absent or not voting:

Boe, Chase, Crist, Crow, DeWolf, Dunnegan, Francis, Hagemann, Jewell, Kimball, Malmberg, Mattes, McManus, Perkins, Savage, Schrup, Sheean, Smith, Taylor, Thomas, Webber, White—22.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator Robinson, Senate File No. 178, a bill for an act to repeal the law as it appears in section seven hundred eleven (711) of the code and enacting a substitute therefor relating to the powers of cities and towns in respect to prevention of fires, accidents from electrical apparatus, fire limits and erection of structures within fire limits, was taken up, and considered.

Senator Robinson moved that the Senate concur in the following House amendments:

HOUSE AMENDMENT.

1. That there be inserted after the word "cities" in the fourth line of the original bill, and before the word "and," following, to-wit: "including cities acting under special charters and cities acting under commission form of government."

2. That there be added to this bill the following, to-wit:

"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."

On the question "Shall the Senate concur in House Amendments?"

The ayes were:

Ames, Arney, Balkema, Balluff, Clarkson, Cowles, Darra
Doran, Fellows, Francis, Gillette, Heald, Hilsinger, Jones, Kimbal
Larrabee, Legel, McColl, Neal, Nye, Quigley, Ream, Robinso
Spaulding Sullivan, Wilson of Appanoose, Wilson of Clinton—2

The nays were:

None.

Absent or not voting:

Allen, Boe, Chase, Crist, Crow, DeWolf, Dunnegan, Farr, Ga
rett, Hagemann, Jewell, Malmberg, Mattes, McManus, Perkir
Savage, Schrup, Sheean, Smith, Taylor, Thomas, Webber, White
23.

So the House amendments having received a constitutional m
jority were declared concurred in.

On motion of Senator Ames, Senate File No. 232, a bill for a
act to repeal the law as it appears in section forty-two (42), ac
of the Thirty-third General Assembly and to enact a substitu
therefor providing for the selection of an official newspaper
cities and towns, and for the publication of the proceedings of ci
and town councils and providing compensation therefor, with r
port of committee recomending the adoption of a substitute a
passage, was taken up, considered, and the report of the committ
adopted.

Senator Ames moved that the substitute for the original bill
adopted.

Adopted.

Senator Ames moved that the rule be suspended, the bill
considered engrossed, and read a third time now, which motion p
vailed, and the bill was head a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Cowles, Darrah, Dora
Farr, Fellows, Francis, Garrett Gillette, Hagemann, Heald, H

singer, Jones, Kimball, Larrabee, Legel, Neal, Nye, Ream, Robinson, Schrup, Spaulding, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Boe, Chase, Clarkson, Crist, Crow, DeWolf, Dunnegan, Jewell, Malmberg, Mattes, McColl, McManus, Perkins, Quigley, Savage, Sheean, Smith, Taylor, Thomas, Webber—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title was agreed to.

On motion of Senator Heald, Senate File No. 249, a bill for an act to repeal section twenty-one (21), chapter seventy-two (LXXII) of the acts of the Thirty-fourth General Assembly, relating to the powers of local authorities to regulate the use of motor vehicles upon streets and highways, and enacting a substitute therefor, was taken up and considered.

Senator Heald moved that the Senate reconsider the vote by which the bill pased the Senate.

Adopted.

Unanimous consent was given to reconsider the vote by which the bill passed to its third reading.

Senator Heald offered the following substitute for the bill:

SUBSTITUTE FOR SENATE FILE NO. 249, BY HEALD.

A BILL for an Act Amending Section Nineteen (19) and Section Thirty (30), Chapter Seventy-two (72) of the Acts of the Thirty-fourth General Assembly, Providing Additional Rules and Regulations for the Operation of Motor Vehicles Upon Public Highways Within the State of Iowa.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section nineteen (19), chapter seventy-two (LXXII), of the acts of the thrity-fourth General Assembly be amended by adding thereto the following rules and regulations for the operation of motor vehicles upon public highways:

(1) The operator of a motor vehicles shall turn to the right when meeting another vehicle and in cities and towns shall at all times travel on the right hand side of the street, as near the curb as the condition of the street will permit.

(2) The operator of a motor vehicles, when overtaking and passing another vehicle, shall pass to the left and shall not drive to the right until clear of such vehicle.

(3) The operator of a motor vehicle shall, before stopping, turning or changing the course of such vehicle, first see that there is sufficient space to make such movement in safety and shall give a visible or audible signal to the crossing officer, if there be such, or to the drivers of vehicles following, of his intention to make such movement, by raising the hand and indicating with it the direction in which he wishes to turn.

(4) The operator of a motor vehicle, in turning to the right from one street or highway into another, shall turn the cornor as near the right hand side as possible; and, in turning to the left from one street or highway into another, shall pass to the right of and beyond the center before turning.

(5) The operator of a motor vehicle, in crossing from one side of a street or highway to the other side thereof, shall turn to the left, so as to head in the direction in which vehicles are moving.

(6) In cities of the first class, it shall be unlawful to stop a motor vehicle unless the right side thereof is next to and parallel with the curb and as near thereto as the codition of the street will permit; provided, that this rule shall not apply in cases of emergency, when the stop is made to avoid accident or to allow pedestrians or vehicles to cross in front of such motor vehicle, or when made in obedience to the signal of a police officer.

(7) In cities and towns, it shall be unlawful for the operator of any motor vehicle to overtake and pass another vehicle at street intersections in the business district.

(8) It shall be unlawful for the operator of a motor vehicle to permit the motor of same to operate in such a manner as to visibly emit an unduly great amount of steam, smoke or products of combustion from exhaust pipes or openings.

(9) It shall be unlawful for the operator or owner of any motor vehicle to operate or permit to be operated upon the streets of any city or town any motor vehicle which has not a suitable muffler in a proper and efficient working condition and it shall be further unlawful for any person to drive or permit to be driven on the streets of any city or town any motor vehicle with the muffler cut out or not in operation.

(10) It shall be unlawful for any person to cause or permit any motor vehicle to be driven upon any public street or highway by any person under the age of fifteen (15) years.

(11) In cities and towns, motor vehicles turning to the right from one street into another shall have the right of way over vehicles traveling on the street into which same are turning.

(12) In cities and towns, motor vehicles turning to the left into another street shall give the right of way to vehicles traveling on the street into which same are turning.

(13) Operators of motor vehicles in cities and towns, upon the approach of any fire apparatus, police patrol, or ambulance, shall stop such vehicle as near the right hand curb as possible and remain stationary until such apparatus, patrol or ambulance has passed.

(14) In cities and towns, it shall be unlawful for the operator of any motor vehicle to leave any such vehicle standing upon any street in the business district thereof within twenty feet of the corner or within twenty feet of any fire hydrant unless such vehicle is in charge of some person capable of driving same.

(15) In cities and towns, no motor vehicle shall be left standing in front of or within fifteen feet of either side of the entrance to any theater, auditorium of other building where large assemblages of people are being held, except in taking on or discharging passengers or freight, and then only for such length of time as for such purpose. such purpose.

(16) At theaters and public gatherings in cities or towns, or under unusual circumstnces, motor vehicles shall stand or move as directed by the police.

(17) It shall be unlawful for the operator of any motor vehicle or person in charge thereof to leave unattended upon any street or highway a motor vehicle while any part of the machinery is in motion.

Sec. 2. That section thirty (30), chapter seventy-two (LXXII). of the acts of the Thirty-fourth General Assembly be amended as follows: by adding, after the word "magistrate", in the third line thereof, the words, "or police judge".

Substitute read first and second time and ordered passed on file.

On motion of Senator Hilsinger, House File No. 375, a bill for an act to authorize the sale and conveyance of that part of the west half of the southwest quarter of section 19, in township 78, north of range 4, east of 5th principal meridian, bounded by lines

described as follows: Commencing at a point in the east boundary line of said west half of southwest quarter 23.12 chains north of the southwest corner of said west half of southwest quarter, thence running west 5 chains, thence north 9 chains, thence east 5 chains, to said east boundary line, thence south along said boundary line to beginning, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hilsinger moved that the rule be suspended, the bill be read a third time now, which motion prevailed, and the bill read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Clarkson, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Quigley, Ream, Robinson, Schrup, Spaulding, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Boe, Chase, Cowles, Crist, Crow, DeWolf, Dunnegan, Jewell, Mattes, McManus, Perkins, Savage, Sheean, Smith, Taylor, Thomas, Webber—17.

So the bill having received a constitutional majority was declared to have pased the Senate and its title was agreed to.

On motion of Senator Wilson of Appanoose, Senate File No. 206, a bill for an act to amend section 1, chapter 104, acts of the Thirty-third General Assembly, describing the form of index of articles of incorporation, and making it the duty of the recorder to so index said articles, with report of committee recommending pasage, was taken up, considered, and the report of the committee adopted.

Senator Wilson 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Clarkson, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, McColl, Neal, Nye, Quigley, Ream, Robinson, Schrup, Spaulding, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

None.

Absent or not voting:

Boe, Chase, Cowles, Crist, Crow, DeWolf, Dunnegan, Jewell, Legel, Mattes, McManus, Perkins, Savage, Sheean, Smith, Taylor, Thomas, Webber—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Jones, House File No. 55, a bill for an act to amend section one thousand eighty-seven-a-10 (1087-a-10) of the Supplement to the Code, 1907, as amended by chapter sixty-nine (69) acts of the Thirty-third General Assembly, and chapters fifty-eight (58) and fifty-nine (59) acts of the Thirty-fourth General Assembly, relating to nomination, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved that the rule be suspended, 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 ayes were:

Allen, Ames, Arney, Balluff, Clarkson, Cowles, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Quigley, Ream, Robinson, Schrup, Spaulding, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Balkema, Boe, Chase, Crist, Crow, DeWolf, Dunnegan, Jewell, Mattes, McManus, Perkins, Savage, Sheean, Smith, Taylor, Thomas, Webber—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Heald, House File No. 31, a bill for an act to repeal section six hundred seventy-four (674) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the compensation of assessors in cities and towns, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Neal was called to the chair at 9:35.

Senator Heald moved the adoption of the following amendment as a substitute for the committee amendment.

I move as a substitute for the committee amendment the following:

Strike out the words in line seven (7) and eight (8) of section one (1) "under the commission form of government" and insert in lieu thereof the following, "including those under the commission form of government."

The substitute amendment was adopted.

The amendment as amended was adopted.

President Harding resumed the chair at 9:50.

Senator Heald 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 ayes were:

Ames, Arney, Balkema, Baluff, Clarkson, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Spaulding, Sullivan, Taylor, Wilson of Appanoose—31.

The nays were:

Larrabee—1.

Absent or not voting:

Allen, Boe, Chase, Cowles, Crist, Crow, DeWolf, Dunnegan, Jewell, McColl, Perkins, Savage, Sheean, Smith, Thomas, Webber, White, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 302, a bill for an act to amend the law relating to the sale of concentrated feeding stuffs, as it appears in section 5077-a-8 of the Supplement to the Code, 1907.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 to amend sections 732 and 894 of the Supplement to the Code, 1907, relative to the levying of taxes for public libraries.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 section 183 of the acts of the Thirty-fourth General Assembly, defining vagrancy.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 amend section 2017 of the Code, relating to the right of railway companies to raise or lower highways where they are crossed by a railway, and giving the board of railroad commissioners authority to order undergrade and overhead crossings.

A. C. GUSTAFSON,
Chief Clerk.

Senator Neal moved that Senate File No. 229 be made a special order for 2 p. m. Tuesday and that Senate File No. 200 be made a special order to immediately follow consideration of Senate File No. 229.

Carried.

THIRD READING OF BILLS.

On motion of Senator Darrah, Senate File No. 417, a bill for an act providing for the election of United Senators by a vote of the people, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Darrah moved that the substitute for the original bill be adopted.

Adopted.

Senator Darrah 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 ayes were:

Allen, Arney, Balkema, Balluff, Clarkson, Cowles, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Robinson, Schrup, Spaulding, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

Quigley—1.

Absent or not voting:

Ames, Boe, Chase, Crist, Crow, Darrah, DeWolf, Dunnegan, Fewell, Perkins, Ream, Savage, Sheean, Smith, Taylor, Thomas, Webber—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

EXPLANATION OF VOTE.

MR. PRESIDENT—I wish to explain the reason why I am not recorded as voting on Senate File No. 417, a bill for an act providing for the election of United States senators by a vote of the people, as voted upon and passed by the Senate, March 31, 1913.

The bill was called up, out of its order, on the Calendar, early Monday morning, before I had reached the Senate chamber.

I have earnestly advocated the principles involved in this bill, in public and in private, for more than twenty-five years, and greatly desired to be present and to be recorded as voting "Aye" on this measure.

I would have so voted had I been present when the vote was taken.

C. H. THOMAS.

President announced that as President of the Senate he had signed in the presence of the Senate, Senate Files Nos. 353, 166 and 311.

THIRD READING OF BILLS.

On motion of Senator Gillette, House File No. 87, a bill for an act to amend section forty-six hundred three (4603) of the code of 1897 by providing for the cross-examination of the adverse party to the record of any civil action or proceeding, or a person for whose benefit action or proceeding is prosecuted or defended, or the directors, officers, superintendent or managing agents of any corporation which is a party to the record, and providing that

the party calling such witness shall not be bound by his testimony and that the testimony of such witness may be rebutted by the party calling such witness by other evidence; all relating to evidence in civil actions and proceedings.

Senator Gillette moved that the Senate reconsider the vote by which the bill was indefinitely postponed.

Carried.

Senator Gillette moved that the vote to adopt the report of the commitee be reconsidered.

Carried.

The motion to adopt report of committee was lost.

Further consideration postponed.

On motion of Senator Clarkson, House File No. 5, a bill for an act providing for the non-partisan nomination and election of judges of the supreme, district and superior courts of Iowa, with report of committee recommending indefinite postponement, was taken up and considered.

The motion to adopt report of committee to indefinitely postpone was lost.

Senator Kimball moved that the bill be recommitted to committee on Judiciary.

Senator Clarkson moved as a substitute that the bill retain its place on Calendar and be re-referred to committee on Judiciary and that Judiciary committee be instructed to report House File No. 5 back by Thursday.

Carried.

Substitute motion carried.

On motion of Senator Cowles, House File No. 356, a bill for an act to amend section 4823 of the Code, relating to malicious mischief and trespass, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cowles 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Clarkson, Cowles, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Boe, Chase, Crist, DeWolf, Dunnegan, Jewell, Larrabee, Legel, Perkins, Savage, Sheean, Smith, Webber—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Cowles, moved that the Senate request the House to return to the Senate, Senate File No. 228.

Carried.

By unanimous consent Senator Cowles withdrew from further consideration by the Senate, Senate File No. 228.

THIRD READING OF BILLS.

On motion of Senator White Senate File No. 267, a bill for an act to amend section two thousand seventy-seven-a (2077-a) of the Supplement to the Code, 1907, relating to the posting of bulletins at railway stations, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator White moved that the substitute for the original bill be adopted.

Carried.

Senator Doran offered the following amendment and moved its adoption:

"I move to amend by adding the words 'or telephone' after the word 'telegraph' in line five of section one, and by adding the word 'telephone' after the word agent in the first line of section two.

Adopted.

Senator White 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 ayes were:

Allen, Arney, Balkema, Balluff, Clarkson, Crow, Darrah, Doran, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McManus, Neal, Nye, Ream, Robinson, Schrup, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

Cowles—1.

Absent or not voting:

Ames, Boe, Chase, Crist, DeWolf, Dunnegan, Farr, Francis, Jewell, Mattes, McColl, Perkins, Quigley, Savage, Sheean, Smith, Webber—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Sullivan, Senate File No. 38, a bill for an act to provide for the compilation of the laws of the Thirty-third, Thirty-fourth and Thirty-fifth General Asemblies and the laws as they appear in the Supplement to the Code, 1907; to annotate the same and the Code and rules of the Supreme Court, to and including May Term, 1913, of the supreme court, and to publish the said compilation and anotations as a "Supplement to the Code, 1913," and to provide for the appointing of a supervising committee, the election of an editor of such Supplement to the Code, and to establish a salary for such editor, and making an appropriation therefor, and repealing section twenty-four (24) of chapter twenty (20) of the acts of the Thirty-sixth General Assembly, extra

session, as same appears on page five (5) of the prefix to the Code, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan moved that the following amendment be adopted:

Strike out section 11 and substitute the following:

"Section 11. An addition of twelve thousand (12,000) copies of the Code Supplement shall be printed, nine thousand (9,000) of which shall be bound for immediate use and ready for distribution as soon as possible after the printing and binding of the same has been completed; the remaining three thousand (3,000) shall be folded, gathered and stored away in the paper storage room to be bound upon the orders of the executive council."

Adopted.

Senator Sullivan moved the adoption of the following amendments:

"Amend by inserting the following as section 15:

"Section 15. The Thirty-eighth General Assembly and each third General Assembly thereafter shall provide for the compilation, annotation and publication of the statutes of a general or permanent nature enacted since the adoption of the Code and for the selection, as provided in this act, of some competent and suitable person to compile, annotate and superintend such publication."

Amend by re-numbering the sections so that the original sections 15 and 16 shall be numbered, respectively, sections 16 and 17.

Adopted.

Senator Sullivan 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Clarkson, Cowles, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hage-

mann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Spaulding, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Boe, Chase, Crist, DeWolf, Dunnegan, Jewell, Perkins, Savage, Sheean, Smith, Taylor, Webber, White—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Darrah, House File No. 105, a bill for an act to provide for the payment of bounties for killing crows, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Darrah moved that the following amendment be adopted:

By striking out the word "ten" in the second line of section one (1) and inserting in lieu thereof the word "twenty."

Lost.

Senator Darrah 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 ayes were:

Allen, Ames, Arney, Cowles, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Legel, Mattes, McColl, Quigley, Robinson, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—26.

The nays were:

Balkema, Crow, Hagemann, Larrabee, Malmberg, Neal, Nye—7.

Absent or not voting:

Balluff, Boe, Chase, Clarkson, Crist, DeWolf, Dunnegan, Jewell, McManus, Perkins, Ream, Savage, Schrup, Sheean, Smith, Webber, White—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

By unanimous consent Senator Francis withdrew from further consideration by the Senate, Senate File No. 430.

Senator Quigley from the committee on Fish and Game returned to the Senate, Senate File No. 430.

THIRD READING OF BILLS.

On motion of Senator Farr, Senate File No. 282, a bill for an act to prohibit trespassing on railway tracks, rights of way, cars and engines, and providing a penalty for the violation thereof, was taken up, and considered.

On the motion filed on March 15th, to reconsider the vote by which the bill passed the Senate and passed to its third reading, a roll call was demanded.

The ayes were:

Allen, Ames, Clarkson, Crow, Darrah, Doran, Fellows, Francis, Garrett, Heald, Malmberg, Nye, Ream, Robinson, Schrup, Spaulding, Sullivan, Taylor, Thomas, Wilson of Clinton—20.

The nays were:

Arney, Balluff, Cowles, Farr, Gillette, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Mattes, McColl, Neal, White, Wilson of Appanoose—16.

Absent or not voting:

Balkema, Boe, Chase, Crist, DeWolf, Dunnegan, Jewell, McManus, Perkins, Quigley, Savage, Sheean, Smith, Webber—14.

Motion prevailed.

Senator Clarkson offered the following amendment and moved its adoption:

I move to amend the bill now pending, by substituting the following for section 1:

Section 1. "Where the yard limits of any line of railroad is enclosed by fence of material and construction approved by the railroad commissioners of this state, it shall be unlawful for any person to trespass within or upon such enclosure without right. The railroad commissioners shall fix a standard of material and construction for such fence."

Adopted.

Senator Farr moved that the rules be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Clarkson, Cowles, Crow, Darrah, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Quigley, Robinson, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

Doran, Ream—2.

Absent or not voting:

Balluff, Boe, Chase, Crist, DeWolf, Dunnegan, Jewell, McManus, Perkins, Savage, Schrup, Sheean, Smith, Spaulding, Webber—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Farr, Senate File No. 346, a bill for an act in relation to divorces and the time of trial of actions for a divorce and providing for the prevention of the publication of allegations in petitions and other pleadings relating to di-

vorce actions and for the destruction of papers and files where actions for divorce are dismissed or withdrawn by an agreement of the parties before trial and to amend section three thousand six hundred fifty-six (3656) of the supplement code of nineteen hundred and seven (1907), 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 Kimball, Senate File No. 334, a bill for an act providing for the assessment of the cost of main sewers to the property within the territory drained and defining adjacent property relative thereto, and amending section eight hundred forty-d (840-d), of the supplement to the code, 1907, relating to the construction of main sewers and paying the cost thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Farr offered the following amendment and moved its adoption:

I move to amend by adding to section 1 the following: Provided this act shall not apply to cities having a population of more than 47,000.

Adopted.

Senator Kimball moved that the rules be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Balluff, Clarkson, Crow, Darrah, Doran, Farr, Fellows, Hagemann, Heald, Jones, Kimball, Legel, Malmberg, Mattes, Neal, Nye, Quigley, Ream, Robinson, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—27.

The nays were:

Gillette—1.

Absent or not voting:

Arney, Boe, Chase, Cowles, Crist, DeWolf, Dunnegan, Francis, Garrett, Hilsinger, Jewell, Larrabee, McColl, McManus, Perkins, Savage, Schrup, Sheean, Smith, Spaulding, Webber, White—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On request of Senator Balluff, leave of absence was granted Senator Webber for the day.

On request of Senator Thomas, leave of absence was granted Senator Crist for today.

On request of Senator Wilson, leave of absence was granted Senator Boe.

On request of Senator Thomas, leave of absence was granted Senator Dunnegan.

Senator Crow moved that the Senate do now adjourn until 1 o'clock P. M., today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1 o'clock P. M.

President Harding presiding.

REPORTS OF COMMITTEES.

Senator Quigley, 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. 527, a bill for an act to amend section two thousand five hundred sixty-one (2561) as it appears in the Supplement to the Code, 1907, for the protection of birds; beg leave to report they have had the same under consideration and recommend the same do pass.

ROBERT QUIGLEY,
Chairman.

Ordered passed on file.

Senator Balkema, from the committee on Roads and Highways, submitted the following report:

MR. PRESIDENT—Your committee on Roads and Highways to whom was referred Senate File No. 531, a bill for an act to provide for the registration of highway routes, together with the names, color combinations and designs used in marking the same; prohibiting the duplications thereof; and providing penalties for the violation of this act; beg leave to report they have had the same under consideration and recommend the same do pass.

N. BALKEMA,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committtee on Roads and Highways to whom was referred Senate File No. 517, a bill for an act repealing section 2024-l of the Supplement of the Code of Iowa of 1907, and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material accessible for general use for road improvement and providing punishment for use of said material for other than road purposes; beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL For an Act Repealing Section 2024-l of the Supplement to the Code, 1907, and Enacting a Substitute Therefor Providing for Condemnation of Land where Gravel or other Suitable Material for Road Improvement can be had, and Roads Leading thereto, Requiring Boards of Supervisors to Condemn Said Land, Making Said Material Accessible for General Use For Road Improvement and Providing Punishment For Use of Said Material For Other Than Road Purposes.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section 2024-l of the Supplement to the Code, 1907, be and the same is hereby repealed, and the following substitute enacted in lieu thereof.

Sec. 2. The board of supervisors of any county is hereby authorized and empowered within the limits of such county and without the limits of any city or town, to procure, purchase or condemn, enter upon and take any lands, not to exceed five acres in any one place, for the purpose of obtaining gravel or other suitable material with which to improve the roads and highways of such county including a sufficient roadway to such land by the most reasonable route, and to pay for the same out of the county road funds, and it

shall be the duty of the board of supervisors of each county, where such material can be found within the county as herein provided, to procure purchase or condemn such tracts so that no part of the county shall be more than six miles distant from land where such material can be obtained for highway purposes, provided, however, that the board of supervisors shall not be required to purchase such land, but may procure the road material at any place within or without the county when the combined cost of obtaining and hauling the same is not greater than the cost would be by condemnation proceedings under this act.

Sec. 3. The township trustees of any township in such county shall have the right to enter upon, take and use any such land, gravel or other suitable material for the purpose of improving the highways and roads within their respective townships.

Sec. 4. Road improvement companies, corporations, voluntary associations, commercial clubs, road improvement districts, and individual citizens shall have the right to enter upon said land and haul and use said material for public road improvement. Any person, company, corporation or club using said material for any other purpose than public road improvement, shall be guilty of a misdemeanor, and upon conviction, fined not less than one hundred ($100.00) dollars, nor more than five hundred ($500.00) dollars, or imprisonment in the county jail not more than thirty (30) days, or both.

Sec. 5. In case the board of supervisors of any county shall fail, neglect or refuse to perform the duty imposed upon them by this act, the members thereof shall be subject to removal from office or failure to perform their duty as provided by chapter 78 of acts of the Thirty-third General Assembly as amended.

Sec. 6. This act, being deemed of immediate importance, shall take effect and be in force on 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.

N. BALKEMA,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Arney, from the committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Educational Institutions to whom was referred Senate Joint Resolution No. 12, a bill for an act authorizing the appointment of a committee to investigate the proposition of E. B. Howard to convey to the State his interest in about four hundred (400)

acres of land near State Center, Iowa, for the purpose of establishing a vocational school, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

W. H. ARNEY,
Chairman.

Senator Arney moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Neal, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military to whom was referred House File No. 291, a bill for an act to repeal section five thousand and forty-a (5040-a) of the Supplement to the Code, 1907, and to enact a substitute therefore, relating to the prohibition of ball games and other sports on Decoration Day; beg leave to report they have had the same under consideration and recommend the same do pass.

S. W. NEAL,
Chairman.

Ordered passed on file.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 7, a bill for an act to invest the district courts of the state of Iowa with jurisdiction and authority to restrain violations of any law heretofore or hereafter enacted to protect the public and trade and commerce against unlawful restraints, trusts, conspiracies, combinations and monopolies, or unfair discrimination between different sections, communities or localities; to require any person, firm, association, or corporation to respond to a subpoena in any court in this state, and to give testimony and produce any books, papers or documents in any hearing, investigation, proceeding or prosecution for the violation of any laws relating to pools, trusts, conspiracies, combinations or monopolies, or prohibiting unfair discrimination between different sections, communities or localities, and to provide immunity to the persons so testifying; and to make an appropriation for the purpose of enforcing the provisions of this act and all laws passed to protect trade and commerce against unlawful restraints, trusts, conspiracies, combinations and monopolies, and all laws relating to the fixing of prices and charges, or designed to prohibit unfair

discrimination between different sections, communities or localities beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOSEPH MATTES,
Chairman.

Senator Mattes moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Clarkson filed the following motion:

I move to reconsider the vote by which House File No. 7 was indefinitely postponed.

JOHN T. CLARKSON.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate File No. 281, a bill for an act to regulate the employment of prisoners at the penitentiary at Fort Madison and making an appropriation therefor; beg leave to report they have had the same under consideration and recommend the same do pass.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Senator Balluff, from the conference committee on Senate File No. 13, submitted the following report:

March 28, 1913.

To the Senate and House of Representatives of the Thirty-fifth General Assembly:

The undersigned Conference Committee on Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the code and to enact a substitute therefor, respectively report that they have considered the same and recommend that the House recede from its substitute and that the Senate substittue be amended as follows:

By striking out the word "must" in the sixth line of the substitute and inserting in lieu thereof the word "may"; that the word "upon"

in the eigth line of the Senate substitute be striken out and the word "in" be substituted therefor; that the word "of" in the eigth line of the Senate substitute after the word "mortgage" and before the word "real" be stricken out and the word "upon" be substituted therefor; that after the word "or" and before the word "bonds" in the ninth line of the Senate substitute the word "under order of court in" be inserted; that the word "or" after the word "counties" and before the word "schools" in the tenth line of the Senate substitute be stricken out and a comma (,) be inserted in lieu thereof; that in the tenth line of the Senate substitute after the word "school" and before the word "districts" the words "or drainage" be inserted; so that said substitute when amended will read as follows:

A BILL for an Act to Repeal Section Three Hundred Sixty-four (364 of the Code, Relating to Investment of Money and to Enact a Substitute Therefor.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section three hundred sixty-four (364) of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

Where investment of funds are to be made, including those to be made by executors, administrators, trustees and guardians, and no mode of investment is pointed out by statute, they may be made in stocks or bonds of this state, or those of the United States, or in bond or mortgage upon real property of the clear, unincumbered value of twice the investment, or under order of court, in bonds issued by or under the direction of cities, towns, counties, school or drainage districts of this state.

And that when so amended the Senate substitute be recommended for passage.

THOS. W. GRIGGS.
G. A. KIMBALL,
CHAS. E. SCHOLZ,
H. C. RING,
Members of House Conference Committee.

W. D. SHEEAN,
S. W. NEAL,
A. A. BALLUFF,
F. F. JONES,
Members of Senate Conference Committee.

Senator Balluff moved that the Senate adopt the report of the conference committee.

Adopted.

On motion of Senator Balluff, Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the code, relating to investment of money and to enact a substitute therefor, was taken up and considered.

Senator Balluff moved the Senate adopt and concur in the following amendment as recommended by the conference committee.

That the Senate substitute be amended as follows:

By striking out the word "must" in the sixth line of the substitute and inserting in lieu thereof the word "may"; that the word "upon" in the eighth line of the Senate substitute be stricken out and the word "in" be substituted therefor; that the word "of" in the eighth line of the Senate substitute after the word "mortgage" and before the word "real" be stricken out and the word "upon" be substituted therefor; that after the word "or" and before the word "bonds" in the ninth line of the Senate substitute the words "under order of court in" be inserted; that the word "or" after the word "counties" and before the word "schools" in the tenth line of the senate substitute be stricken out and a comma (,) be inserted in lieu thereof; that in the tenth line of the Senate substitute after the word "school" and before the word "districts" the words "or drainage" be inserted.

On the question, "Shall the Senate adopt and concur in the conference committee amendments?"

The ayes were:

Arney, Balkema, Balluff, Cowles, Crist, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Quigley, Schrup, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Allen, Ames, Boe, Chase, Clarkson, DeWolf, Dunnegan, Hagemann, Jewell, McManus, Neal, Perkins, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Webber—19.

So the amendments having received a constitutional majority were declared adopted and concurred in by the Senate.

Senator Cowles, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred House File No. 68, a bill for an act to amend section one thousand seven hundred forty-one (1741) of the Code, relating to applications for insurance, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

LAMONTE COWLES,
Chairman.

Senator Cowles moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 311, a bill for an act to amend the law as it appears in section forty-nine hundred ninety-nine-a-four (4999-a-4) of the Supplement to the code, 1907, providing for the safety and comfort of laborers and other persons assembled in factories and buildings.

Also:

Senate File No. 166, a bill for an act to amend section forty-four hundred twenty (4420) of the Code relating to applications for writs of habeas corpus.

Also:

Senate File No. 353, a bill for an act providing for the record title of lands granted to the Dubuque and Pacific railroad company.

JOHN H. TAYLOR,
Chairman.

Passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

House File No. 85, a bill for an act to repeal section five thousand twenty-eight-b (5028-b) of the Supplement to the Code, 1907, and chapter two hundred twenty-two (222), laws of the Thirty-third General Assembly amendatory thereof, and to enact a substitute therefor, relating to unfair discrimination in any commodity of commerce between different sections, localities, communities, cities or towns.

Also:

House File No. 132, a bill for an act to provide state aid to consolidated schools equipped with two or more rooms and which include in their course of study, industrial and vocational subjects, and making an appropriation therefor.

Also:

House File No. 134, a bill for an act to amend the law as it appears in paragraph eight (8) of section eight hundred and ninety-four (894) of the Supplement to the Code, 1907, relative to the levy of special taxes by cities.

Also:

House File No. 385, a bill for an act to legalize an ordinance of the incorporated town of Sheldahl, Iowa, granting a franchise to Boone Electric Company, to erect, maintain, and operate an electric power plant, in said city.

Also:

House File No. 488, a bill for an act to repeal section four hundred seventy-five (475) of the Code and to enact a substitute therefor, relating to the criminal statistics to be kept by the county auditor and the reporting of same by the county auditor to the clerk of the district court.

Also:

House File No. 525, a bill for an act to authorize and direct the board of supervisors of Johnson county, Iowa, to issue a quit claim deed to John Vesely, conveying certain real estate located in Johnson county, Iowa, more particularly described as lot six (6), block nine (9), of county seat of Johnson county, Iowa.

Also:

House File No. 236, a bill for an act legalizing the adoption, signing, recording and publication of the ordinances of the city of Bedford, Iowa.

Also:

House File No. 408, a bill for an act to legalize certain conveyances and other instruments of writing affecting real estate.

Also:

House File No. 575, a bill for an act to provide for the restoration of lost or destroyed public records.

Also:

House File No. 17, a bill for an act giving certain boards in certain districts authority to use school buildings and grounds and other public buildings and grounds for public recreation and play ground purposes and providing for the levy of separate tax for the support of same and authorizing cities within or including such districts to appropriate money for the same purpose. Additional to chapter fourteen (14), title thirteen (13) of the Code.

Also:

House File No. 66, a bill for an act to amend the law as it appears in sections 1989-a-19, 1989-a-26, 1989-a-27, and 1989-a-38, of the Supplement to the Code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-fourth General Assembly, and chapter 120 of the acts of the Thirty-third General Assembly, relating to assessments for benefit to roads, streets, and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificate and bonds theretofore issued.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

HOUSE MESSAGES CONSIDERED.

House File No. 424, a bill for an act to amend section two thousand seventeen (2017) of the code, relating to the right of railway companies to raise or lower highways where they are

crossed by a railway, and giving the board of railroad commissioners authority to order under-grade or overhead crossings.

Read first and second time and referred to committee on Railroads.

House File No. 302, a bill for an act to amend the law relating to the sale of concentrated feeding-stuffs, as it appears in section five thousand seventy-seven-a-8 (5077-a-8) of the supplement to the code, 1907.

Read first and second time and referred to committee on Food and Dairy.

House File No. 306, a bill for an act to amend sections seven hundred thirty-two (732), and eight hundred ninety-four (894), of the supplement to the code, 1907, relative to the levying of taxes for public libraries.

Read first and second time and referred to committee on Libraries.

House File No. 338, a bill for an act to amend section five thousand one hundred and nineteen (5119) of the code, defining vagrancy.

Read first and second time and referred to committee on Judiciary.

On request of Senator Wilson of Clinton, leave of absence was granted Senator Spaulding for the day.

Senator Jones moved that Senate File No. 523 be recalled from the committee on Compensation of Public Officers and referred to committee on Appropriations.

Carried.

Senator Cowles called up for consideration the resolution offered on March 29th by Senator Savage, relative to the appointment of a sifting committee.

Senator Cowles offered the following amendment and moved its adoption:

"I move to amend the resolution by striking out the figure "2" after the word April and inserting the figure "1" in the second line, and by striking out the word "Wednesday" and the figure "2" in the fourth line and inserting the word "Tuesday" and the figure "1" in place of the same.

Adopted.

Senator Larrabee offered the following substitute resolution for the resolution offered by Senator Savage and moved its adoption:

Resolved, That the president of the Senate shall, five days before the day set for final adjournment of the Thirty-fifth General Assembly, appoint a sifting committee of seven members, to which shall be referred all bills other than appropriation bills, and that after the appointment of said committee, that no bills except appropriation bills, and those on the Calendar, be considered by the Senate, except those reported for indefinite postponement.

Senator Wilson of Appanoose moved that further consideration of the resolution be postponed and that consideration of same be made a special order following consideration of Senate File No. 1.

Lost.

On the adoption of the resolution offered by Senator Larrabee, a roll call was demanded.

Senator Quigley moved the previous question.

Carried.

The ayes were:

Allen, Ames, Arney, Balkema, Clarkson, Crist, Darrah, Doran, Fellows, Francis, Jones, Larrabee, McColl, Neal, Nye, Ream, Robinson, Thomas—18.

The nays were:

Balluff, Cowles, Crow, Farr, Garrett, Gillette, Hagemann, Heald, Hilsinger, Kimball, Legel, Malmberg, Mattes, McManus, Quigley, Schrup, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—20.

Absent or not voting:

Boe, Chase, DeWolf, Dunnegan, Jewell, Perkins, Savage, Sheean, Smith, Spaulding, Taylor, Webber—12.

So the substitute resolution was lost.

Those favoring the adoption of the resolution offered by Senator Savage were:

Allen, Balluff, Cowles, Crow, Farr, Garrett, Gillette, Hagemann, Heald, Hilsinger, Kimball, Legel, Malmberg, Mattes, McManus, Quigey, Schrup, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—21.

The nays were:

Ames, Arney, Balkema, Clarkson, Crist, Darrah, Doran, Fellows, Francis, Jones, Larrabee, McColl, Neal, Nye, Ream, Robinson, Thomas—17.

Absent or not voting:

Boe, Chase, DeWolf, Dunnegan, Jewell, Perkins, Savage, Sheean, Smith, Spaulding, Taylor, Webber—12.

So the resolution was adopted.

Senator Cowles moved that the vote by which the resolution was adopted be reconsidered and that the motion to reconsider be laid on the table. Motion stated by the president.

Senator Clarkson objected to the motion and insisted on its being reduced to writing as required by the rules.

Senator Cowles was ordered to reduce his motion to writing to reconsider and lay the motion to reconsider on the table.

Senator Allen filed the folowing motion:

"I move to reconsider the vote by which the motion to appoint a sifting committee passed the Senate."

J. H. ALLEN.

Senator Cowles filed the following motion:

"I move to reconsider the vote by which the resolution was adopted and to lay the motion o nthe table."

COWLES.

Senator Allen raised the point of order that his motion was filed first, the president held that a motion could be stated orally and then reduced to writing and that Senator Cowles motion was in order and took precedence.

Senator Allen moved to defer action on the motion to reconsider until 9 o'clock tomorrow.

Motion declared out of order.

Senator Allen moved that the Senate do now adjourn until 9 o'clock to-morrow.

On this motion a roll call was demanded.

The ayes were:

Allen, Ames, Arney, Balkema, Clarkson, Crist, Darrah, Doran, Fellows, Francis, Jones, Larrabee, McColl, Neal, Nye, Ream, Robinson, Taylor, Thomas—19.

The nays were:

Balluff, Cowles, Crow, Farr, Garrett, Gillette, Hagemann, Heald, Hilsinger, Kimball, Legel, Malmberg, Mattes, McManus, Quigley, Schrup, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—20.

Absent or not voting:

Boe, Chase, DeWolf, Dunnegan, Jewell, Perkins, Savage, Sheean, Smith, Spaulding, Webber—11.

So the motion was lost.

Senator Clarkson moved that Senate do now adjourn until 9:30 tomorrow.

On this motion a roll call was demanded.

The ayes were:

Allen, Ames, Arney, Balkema, Clarkson, Crist, Darrah, Doran, Fellows, Francis, Jones, Larrabee, McColl, Neal, Nye, Ream, Robinson, Taylor, Thomas—19.

The nays were:

Balluff, Cowles, Crow, Farr, Garrett, Gillette, Hagemann, Heald, Hilsinger, Legel, Malmberg, Mattes, McManus, Quigley, Schrup, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—19.

Absent or not voting:

Boe, Chase, DeWolf, Dunnegan, Jewell, Kimball, Perkins, Savage, Sheean, Smith, Spaulding, Webber—12.

So the motion was lost.

The following call of Senate was filed.

"We ask a call of the Senate upon the matter under consideration."

L. E. FRANCIS.
FRED LARRABEE.
J. H. DARRAH.
W. H. ARNEY,
A. S. AMES.
C. H. THOMAS.
A. D. NYE.
A. M. FELLOWS.
L. E. CRIST.
A. M. MCCALL.
N. BALKEMA.
JOHN T. CLARKSON.
F. F. JONES.
T. J. B. ROBINSON.

President ordered the sergeant-at-arms to bring the absent members into the Senate chamber.

Senator Sullivan was called to the chair at 2 P. M.

Senator Crist was called to the chair at 2:10 P. M.

President Harding resumed the chair at 2:20 P. M.

Senator Francis moved the call of the House be made returnable for 10:30 A. M., tomorrow.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked.

Senate Concurrent Resolution relative to extending an invitation to Gen. Grenville M. Dodge to address a joint session of the legislature. Speaker appoints as committee on the part of the House to extend such invitation, Representatives Reeve of Franklin, Crozier of Marion and Hazen of Pottawattamie.

A. C. GUSTAFSON,
Chief Clerk.

REPORTS OF COMMITTEES.

Senator Allen, from the committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your committte on Retrenchment and Reform to whom was referred House Joint Resolution No. 10, House Joint Resolution amending Senate Joint Resolution No. 1 of the Thirty-fifth (35) General Assembly relating to the compensation of additional employees of the Thirty-fifth General Assembly; beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute.

SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 10.

Substitute for House Joint Resolution Amending Senate Joint Resolution Number One (1) of the Thirty-fifth General Assembly Relating to the Compensation of Additional Employees of the Thirty-fifth General Assembly.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That Senate Joint Resolution number one (1) be and the same is hereby amended by adding to said joint resolution the following, "all employees referred to in Senate joint resolution number one (1) who served in the war of the rebellion shall receive three dollars ($3.00) per day as compensation from February 1, 1913 in lieu of the seventy dollars ($70.00) per month as in said resolution provided." And when so amended the Joint Resolution do pass.

J. H. ALLEN,
Chairman

Substitute read first and second time.

Ordered passed on file.

Senator Thomas, 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. 463, a bill for an act to amend the law as it appears in section twenty-six hundred thirty-four-a (2634-a) Supplement to the Code, 1907, relating to the employment of help by the educational board of examiners; beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By changing the words and figures "sixteen hundred ($1600)" in the last line to fifteen hundred ($1500.), and when so amended the bill do pass.

C. H. THOMAS,
Chairman.

Ordered passed on file.

Senator Francis 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, APRIL 1, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. Chas. O'Connor, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Doran presented a remonstrance of citizens of Boone and Story counties protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Clinton presented a remonstrance of citizens of Clinton, protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Wilson of Clinton presented a petition of citizens of Clinton, protesting against House File No. 436, and in favor of reform measures as shown in House Files Nos. 169, 25, 173, 368 and House Joint Resolution No. 11.

Referred to committee on Suppression of Intemperance.

Senator Robinson presented a petition of citizens of Kanawha, favoring the passage of House File No. 484.

Referred to committee on Railroads.

Senator Dunnegan presented a remonstrance of citizens of Page county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a remonstrance of citizens of Lucas county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a remonstrance of citizens of Lucas county opposing House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Clarkson filed the following motion:

I move that the Judiciary committee of the Senate be requested to return to the Senate, Senate File No. 3, and when returned that it be placed in the hands of the committee on Appropriations, who is hereby requested to return the same to the Senate by 10:00 o'clock A. M., Wednesday, April 2, 1913, and that Senate File No. 3 be made a special order for 10:15 o'clock Wednesday, April 2, 1913.

Objection to its consideration being made, Senator Clarkson moved that the rules be suspended, and that the motion be considered at this time.

On this motion a roll call was demanded.

The ayes were:

Allen, Balkema, Boe, Chase, Clarkson, Darrah, DeWolf, Doran, Farr, Fellows, Garrett, Gillette, Kimball, Larrabee, Legel, Malmberg, Nye, Ream, Robinson, Schrup, Sheean, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—25.

The nays were:

Ames, Arney, Balluff, Cowles, Crist, Dunnegan, Hagemann, Heald, Hilsinger, Jones, Mattes, McColl, Savage, Spaulding, Webber, White—16.

Absent or not voting:

Crow, Francis, Jewell, McManus, Neal, Perkins, Quigley, Smith, Thomas—9.

So the motion was lost.

Senator Clarkson moved that the motion filed be made a special order for consideration at 9:30 A. M., tomorrow.

Carried.

THIRD READING OF BILLS.

On motion of Senator Balluff, House File No. 509, a bill for an act to repeal section one (1), of chapter forty-nine (49), of the acts of the Thirty-fourth General Assembly, relating to the improvement of water fronts in cities acting under special charter and enacting a substitute therefor, relating to the levee improvement commission in such cities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balluff offered the following amendment and moved its adoption:

I move to amend House File No. 509, by adding thereto the following:

Sec. 2. That section two (2) of chapter forty-nine (49) of the acts of the Thirty-fourth General Assembly be and the same is hereby amended by striking therefrom the following words in the last paragraph of said section: "the commissioner of the board of public works," and insert in lieu thereof the following: "at least one other member of said levee improvement commission."

Adopted.

The bill was read for information.

Senator Balluff moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balkema, Balluff, Boe, Chase, Darrah, DeWolf, Doran, Dunnegan, Fellows, Garrett, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Ames, Clarkson, Cowles, Crist, Crow, Farr, Francis, Gillette, Heald, Jewell, McManus, Perkins, Quigley, Smith—15.

Senator Balluff offered the following amendment to the title of the bill and moved its adoption.

I move to amend the title by striking out the period after the word "therefor" and by adding thereto the following: "and to amend section two (2), of chapter forty-nine (49), of the acts of the Thirty-fourth General Assembly."

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate File No. 21, a bill for an act to repeal section 1869 of the Supplement to the Code, 1907, and to enact a substitute therefor, providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for the violation of the provisions of the law.

Also:

Senate File No. 152, a bill for an act to fix the date of the counting of the votes for governor and lieutenant governor and fixing the date of the inauguration of governor and lieutenant governor.

Also:

Senate File No. 302, a bill for an act to repeal the law as it appears in section nineteen hundred forty-eight (1948) of the Supplement to the Code, 1907, and to repeal the law as it appears in section nineteen hundred eighty-nine-a-fifteen (1989-a15) of the Supplement to the Code, 1907, and to enact a substitute therefor, defining nuisances in construction of drainage ditches, and making the obstruction of such ditches and levees a misdemeanor.

Also:

Substitute for Senate File No. 121, a bill for an act to amend the law as it appears in chapter one hundred forty-two (142) of the acts of the Thirty-third General Assembly, relating to the number of persons to whom city or town councils may by resolution grant consent to sell intoxicating liquors and making the same apply to cities acting under special charter.

Also:

Substitute for Senate File No. 175, a bill for an act to amend section twenty-three hundred forty-eight (2348) of the code, relating to bounty on wolves.

Also:

Substitute for Senate File No. 254, a bill for an act to amend the law as the same appears in sections six hundred ninety-one (691) and six hundred ninety-two (692) of the Code, relating to the jurisdiction in actions for the violation of city or town ordinances and providing for the transfer of cases from mayor's court to a justice of the peace court in certain cases.

Also:

Substitute for Senate File No. 176, a bill for an act to amend section one (1) of chapter sixty-eight (68) of the acts of the Thirty-fourth General Assembly, relating to the assessment and collection of a tax upon collateral estates, annuities, legacies, bequests, gifts, transfers and inheritances.

Also:

Substitute for Senate File No. 14, a bill for an act to amend chapter two hundred (200) of the acts of the Thirty-third General Assembly, relating to administration of the estates of absentees.

Also:

Senate File No. 119, a bill for an act to require foreign corporations owning, controlling, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant, water works, interurban or street railway located within the state of Iowa, or the business of such works, plants or railways or owning or controlling stock in any corporation owning, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant, water works, interurban or street railway located within the state of Iowa or the business of such plants or railways to comply with the laws governing the issuance of capital stock of domestic corporations and the making of reports by domestic corporations and

to require said foreign corporations to obtain a permit to transact business within the state of Iowa, and conferring upon courts of equity jurisdiction to dissolve and terminate corporations, works, plants or businesses violating this act and providing penalties for violatons of ths act.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Substitute for Senate File No. 176, a bill for an act to amend section one (1) of chapter sixty-eight (68) of the acts of the Thirty-fourth General Assembly, relating to the assessment and collection of a tax upon collateral estates, annuities, legacies, bequests, gifts, transfers and inheritances.

Also:

Substitute for Senate File No. 14, a bill for an act to amend chapter two hundred (200) of the acts of the Thirty-third General Assembly, relating to administration of the estates of absentees.

Also:

Senate File No. 119, a bill for an act to require foreign corporations owning, controlling, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant, water works, interurban or street railway located within the state of Iowa, or the business of such works, plants or railways or owning or controlling stock in any corporation owning, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant, water works, interurban or street railway located within the state of Iowa or the business of such plants or railways to comply with the laws governing the issuance of capital stock of domestic corporations and the making of reports by domestic corporations and to require said foreign corporations to obtain a permit to transact business within the state of Iowa, and conferring upon courts of equity jurisdiction to dissolve and terminate corporations, works, plants or businesses violating this act and providing penalties for violatons of this act.

Also:

Senate File No. 21, a bill for an act to repeal section 1869 of the Supplement to the Code, 1907, and to enact a substitute therefor, providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for the violation of the provisions of the law.

Also:

Senate File No. 152, a bill for an act to fix the date of the counting of the votes for governor and lieutenant governor and fixing the date of the inauguration of governor and lieutenant governor.

Also:

Senate File No. 302, a bill for an act to repeal the law as it appears in section nineteen hundred forty-eight (1948) of the Supplement to the Code, 1907, and to repeal the law as it appears in section nineteen hundred eighty-nine-a-fifteen (1989-a15) of the Supplement to the Code, 1907, and to enact a substitute therefor, defining nuisances in construction of drainage ditches, and making the obstruction of such ditches and levees a misdemeanor.

Also:

Substitute for Senate File No. 121, a bill for an act to amend the law as it appears in chapter one hundred forty-two (142) of the acts of the Thirty-third General Assembly, relating to the number of persons to whom city or town councils may by resolution grant consent to sell intoxicating liquors and making the same apply to cities acting under special charter.

Also:

Substitute for Senate File No. 175, a bill for an act to amend section twenty-three hundred forty-eight (2348) of the code, relating to bounty on wolves.

Also:

Substitute for Senate File No. 254, a bill for an act to amend the law as the same appears in sections six hundred ninety-one (691) and six hundred ninety-two (692) of the Code, relating to the jurisdiction in actions for the violation of city or town ordinances and providing for the transfer of cases from mayor's court to a justice of the peace court in certain cases.

JOHN H. TAYLOR,
Chairman Senate Committee.
W. W. ANDERSON,
Chairman House Committee.

Adopted.

THIRD READING OF BILLS.

On motion of Senator Chase, Senate File No. 425, a bill for an act to amend section eight hundred seventeen (817) of the code, relating to special assessments for street improvements, with report of committee recommending indefinite postponement, was taken up, and considered.

Senator Chase moved that the report of the committee be not adopted.

On this motion a roll call was demanded.

The ayes were:

Allen, Arney, Boe, Chase, Clarkson, Crow, Doran, Dunnegan, Garrett, Larrabee, Legel, McColl, Neal, Nye, Ream, Robinson, Sheean, Smith, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—23.

The nays were:

Balkema, Crist, DeWolf, Farr, Francis, Gillette, Hagemann, Heald, Hilsinger, Kimball, Malmberg, Mattes, Savage, White—14.

Absent or not voting:

Ames, Balluff, Cowles, Darrah, Fellows, Jewell, Jones, McManus, Perkins, Quigley, Schrup, Spaulding, Webber—13

So the motion prevailed.

Senator Chase offered the following amendment and moved its adoption:

But no assessment shall be made against any abutting property owner for the cost of any street improvement at the space opposite streets, highways, alleys, avenues and alleys intersecting but not crossing, if such street improvement has been ordered by the city council without the petition of the property owners as provided in section 793 of the code.

Lost.

Senator Chase 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 ayes were:

Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crow, Doran, Dunnegan, Larrabee, McColl, McManus, Nye, Quigley, Ream, Robinson, Smith, Thomas, White, Wilson of Appanoose—20.

The nays were:

Balluff, Crist, Darrah, DeWolf, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, Neal, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Webber, Wilson of Clinton—25.

Absent or not voting:

Allen, Ames, Garrett, Jewell, Perkins—5.

So the bill having failed to receive a constitutional majority was declared lost.

President announced that as president of the Senate in the presence of the Senate he had signed Senate Files Nos. 121, 175, 254, 176, 14, 119, 21, 152 and 302.

THIRD READING OF BILLS.

The time having arrived for special order, Senate File No. 1, a bill for an act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof, with report of committee recommending the adoption of a substitute was taken up, considered, and the report of the committee adopted.

Further consideration of the bill was postponed.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendments to the following bill in which the concurrence of the House was asked:

House File No. 31, a bill for an act to repeal section 674 of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to the compensation of assessors in cities and towns.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 548, a bill for an act to amend section 1 of chapter 184 of the acts of the Thirty-third General Assembly as amended by section 1 of chapter 145 of the acts of the Thirty-fourth General Assembly, and to amend section 2 of chapter 184 of the acts of the Thirty-third General Assembly as amended by section 2 of chapter 145 of the acts of the Thirty-fourth General Assembly, relative to the limit of indebtedness of independent school districts.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 347, a bill for an act to amend section 3534 of the Code, relating to service by publication when an affidavit is filed that personal service cannot be made on defendant within this state.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 606, a bill for an act to amend section 894 of the Supplement to the Code, 1907, relative to the levy of taxes in cities under the commission form of government.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 amend the law relating to the destruction of weeds as it appears in sections 3 and 4 of chapter 96, acts of the Thirty-third General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 58, a bill for an act to amend section 1182 of the Code, relating to the giving of bonds by public officers and requiring that bonds be given by county supervisors.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 526, a bill for an act to amend section 4623 of the Code, relating to books of account as evidence.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 95, a bill for an act to legalize the incorporation of the town of Sharpsburg, Taylor county, Iowa, the election of its officers, the passage and record of all valid ordinances and resolutions, and all acts done that were in compliance with law by the council of said town.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 to amend section 820 of the Code, fixing time in which the city council or board of public works, where such board exists, shall ascertain the cost and prepare the assessment, plat and schedule relative to the special assessment of property for the making or reconstruction of street improvement.

A. C. GUSTAFSON,
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. 156, a bill for an act repealing section 1326 of the Code, 1897, and enacting a substitute in lieu thereof, relating to the assessment of stock, building, and loan associations.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 397, a bill for an act to make section 807 of the Code applicable to cities acting under special charter.

A. C. GUSTAFSON,
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. 6, a bill for an act to repeal section 1, chapter 106, acts of the Thirty-fourth General Assembly, and enact a substitute therefor.

A. C. GUSTAFSON,
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. 318, a bill for an act to amend the law as it appears in section 269 of the Code, and repealing section 270 of the Code and enacting a substitute in lieu thereof, relating to juries in superior courts.

A. C. GUSTAFSON,
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. 235, a bill for an act to amend section 1187 of the Code, relative to sureties upon official bonds.

A. C. GUSTAFSON,
Chief Clerk.

The time having arrived for the return of the call of the Senate, the Senate took up the same for consideration.

Senator Francis moved that the return of the call of the Senate be postponed until 10:30 o'clock a. m. tomorrow and that same be made a special order for that time.

On this motion a roll call was demanded.

Senator Clarkson arose to a point of order as to whether a discussion of the motion would be in order.

The President held that if the Senate so desired a discussion of the motion would be in order.

Senator Schrup arose to a point of order that Senator Clarkson was not speaking on the motion under consideration.

The President held the point of order not well taken but admonished the Senator from Monroe to speak on the motion under consideration.

Those favoring the motion to postpone the return of the call of the Senate until Wednesday at 10:30 a. m. were:

Ames, Arney, Balkema, Balluff, Cowles, Crist, Crow, Darrah, Fellows, Francis, Garrett, Hagemann, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, McManus, Neal, Nye, Quigley, Ream, Savage, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

Allen, Boe, Chase, Clarkson, Doran, Dunnegan, Gillette, Jewell, Larrabee, McColl, Robinson, Spaulding—12.

Absent or not voting:

DeWolf, Farr, Perkins—3.

So the motion prevailed.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 1, a bill for an act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Senator Thomas moved that the substitute for the original bill be adopted.

Adopted.

Senator Heald offered the following amendment and moved its adoption:

I move to amend division one (1) of section eighteen (18) by adding after the word "companies" in line eight (8) thereof the words "local building and loan associations."

Adopted.

Senator Thomas offered the following amendments and moved their adoption:

Amend section eighteen (18) by inserting a comma (,) after the word "commission" in the last line of said section, and inserting the following: "or who shall execute, issue, sell, offer or negotiate for sale, any contract, bond or other instrument, by the terms of which title to real estate located outside the state of Iowa is to be transferred upon the completion of certain payments or the performance of certain conditions therein specified."

Section 11. Amend by inserting between the words "act" and "or" in the sixth (6th) line the following: "or whose permit has been canceled under the provisions of this act."

In section thirteen (13), after the word "heard" in the ninth line the words "and determined."

Adopted.

Senator Webber offered the following amendment and moved its adoption:

I move to amend subdivision one of section 18 by inserting after the word "companies" in the last line of said subdivision the words, "Loan and Investment companies."

Lost.

The amendment filed by Senator Thomas on March 27th and printed in the Journal was withdrawn.

Senator Dunnegan moved the previous question.

Carried.

Senator Thomas 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

Balluff, Cowles, Doran, Legel, Savage, Webber—6.

Absent or not voting:

DeWolf, Hagemann, Perkins, Sullivan—4.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORT OF COMMITTEE.

Senator Darrah, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections to whom was referred Senate File No. 233, a bill for an act to provide for the election of delegates and alternate delegates to national conventions of political parties; for the election of party national committeemen; and for a preferential vote on president and vice president of the United States (additional to chapter two-a (2-a) title seven, Supplement to the Code, 1907,) relating to primary elections; beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 233.

A BILL For an Act to Provide for the Election of Delegates and Alternate Delegates to National Conventions of Political Parties, for the Election of Party National Committeemen, and Delegates to County Conventions, and for a Preferential Vote on President and Vice-President of the United States (Additional to Chapter Two-a, Title Six, Supplement to the Code, 1907), Relating to Primary Elections, and for Submitting to the Voters of the Several Parties the Question, shall the Vote of the State at Large or the Vote of the Congressional District Control.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That from and after the passage of this act in the years in which a president and vice-president of the United States are to be elected, there shall be held a primary election for the election of delegates and alternate delegates to the national conventions of all political parties at which candidates for president and vice-president are to be nominated, for the election of a party national committeeman for each party, and for the election of delegates to county conventions, which shall choose delegates to the state convention.

Sec. 2. The number of delegates to national conventions to be elected under the provisions of this act for each party shall be the number of delegates for each congressional district, and the number of delegates at large to which each party is entitled as set forth in the call for the national convention by the national committee for each party and certified to the secretary of state by the state chairman of each of the different parties. There shall also be elected one alternate delegate for each district delegate and one alternate for each delegate at large.

Sec. 3. The primary election herein provided for shall consist of an election by all political parties and shall be held at the usual voting places of the several precincts on the second Monday in April in the

year 1916, and quadrennially thereafter for the election of officers provided in section one of this act, and for the purpose of ascertaining the sentiment of the voters of the state in the respective parties as to candidates for president and vice-president of the United States.

Sec. 4. No candidates for district delegate or alternate or delegates at large or alternate at large to the national convention of any political party, and no candidate for national committeeman shall have his name printed upon the official ballot of his party to be used at the primary election herein provided, unless at least thirty days prior to the day fixed for holding such primary election, a nomination paper shall have been filed in his behalf in the office of the secretary of state in the form and manner provided in section ten hundred eighty-seven-a-ten (1087-a-10), Supplement to the Code, 1907, and the number of signers of such nomination paper for district delegates and alternate delegates shall be equal to one half the number as is in said section provided for representatives in congress, and the number of signers of such nomination paper for delegates at large and alternate delegates at large and for the office of party national committeeman shall be equal to one half the number as in said section provided for senators in the congress of the United States, and each candidate shall take the oath as provided in said section.

Candidates for delegates to the county conventions shall be elected in the same manner as provided in section ten hundred eighty-seven-a twenty-five (1087-a-25), Supplement to the Code, 1907, as amended by chapter sixty-nine (69) of the acts of the thirty-third General Assembly.

No candidate for nomination to the office of president or vice-president of the United States shall have his name printed upon the official ballot of his party as herein provided for, unless at least thirty days prior to the day fixed for holding the primary election herein provided for, he shall cause to be filed in the office of the secretary of state his affidavit that he is eligible to the office for which he is a candidate, and that he is a bona fide candidate for such office, and that he will, in good faith, submit his candidacy to the national convention of his political party. Such affidavit shall be in form and substance as follows:

I, ... being duly sworn, say that I reside in the city of ..... County of ..... and state of .....; that I am eligible to the office for which I am a candidate, and that the political party with which I affiliate is the ..... party; that I am a bona fide candidate for the office of ..... and that I shall in good faith submit my candidacy to the national convention of my political party in the year ..... and I hereby request that my name be printed upon the official primary ballot as provided by law as a candidate of the ..... party. I furthermore declare that if I am nominated and elected, I will qualify as such officer.

Signed .....

Subscribed in my presence and sworn to (or affirmed) before me by ..... this ..... day of ..... 19..

.....
Title of officer.

Sec. 5. The official primary election ballot herein provided for shall be prepared, arranged and printed substantially in the following form:

PRIMARY ELECTION BALLOT

(Name of party)

of

..... township, or precinct, ... ward, city or town of ..... county of ....., State of Iowa.

Primary election held on the ..... day of April, 19...

FOR PRESIDENT OF THE UNITED STATES.

☐ John B. Sullivan.
☐ Henry Smith.
☐ .....

FOR VICE-PRESIDENT OF THE UNITED STATES.

☐ Thomas H. Stevens.
☐ Christopher Swanson.
☐ .....

FOR PARTY NATIONAL COMMITTEEMAN.

☐ Theodore Thompson.
☐ .....

FOR DELEGATES AT LARGE TO NATIONAL CONVENTION.

☐ .....
☐ .....
☐ .....
☐ .....

FOR DISTRICT DELEGATES TO NATIONAL CONVENTION.

☐ .....
☐ .....
☐ .....

FOR ALTERNATE DELEGATES AT LARGE TO NATIONAL CONVENTION.

☐ .....
☐ .....
☐ .....
☐ .....

FOR ALTERNATE DISTRICT DELEGATES TO NATIONAL CONVENTION.

☐ .....
☐ .....
☐ .....

FOR DELEGATES TO COUNTY CONVENTION.

☐ .....
☐ .....
☐ .....

Shall the District Delegates to the National Convenion be Instructed by the Vote of the State at Large ☐ YES ☐ NO

Shall the District Delegates to the National Convention be instructed by the vote of the Congressional District? ☐ YES ☐ NO

Sec. 6. At least twenty days before the holding of the primary election herein provided for, the secretary of state shall transmit to each county auditor a certified list containing the name and postoffice address of each person for whom a nomination paper has been filed in his office, as provided in section one hereof, and entitled to be voted for at such primary election by the voters of such county, together with a designation of the office for which he is a candidate and the party from which he seeks an election. Such auditor shall forthwith upon receipt thereof, publish under the proper party designation the title of each office to be filled, the names and proper designation of all for whom nominations have been filed in the office of the secretary of state, giving the name and address of each, and the number of delegates from each precinct of the county to which each party is entitled, the date of the primary, the hours during which the polls will be open and that the primary will be held in the regular polling place in each precinct. It shall be the duty of said auditor to publish said notice once each week for two consecutive weeks prior to the said election; each publication shall be made in at least two, and not to exceed four newspapers of general circulation in such county; one of such newspapers shall represent the political party which cast the largest vote in such county at the last preceding general election, and one of such newspapers shall represent the political party which cast the next largest vote in such county at said general election. In any case where the publication of a notice cannot be made as herein required, it may be made in any newspaper having a general circulation in the county in which the notice is required to be published.

Sec. 7. The names of the candidates of each political party for election to the several offices provided in section one hereof and blank space for delegates to county conventions shall be printed

in black ink on separate sheets of paper uniform in color, quality, texture and size, with the name of the political party printed at the head of said ballot; each ballot shall be prepared by the county auditor in the same manner as for a general election except as provided in section ten hundred eighty-seven-a-thriteen (1087-a-13), chapter sixty-nine (69) acts of the Thirty-third General Assembly.

Sec. 8. On the first Monday following the holding of the primary election herein provided for the board of supervisors of each county shall meet, open and canvass the returns in the manner provided in section ten hundred eighty-seven-a-seventeen (1087-a-17), Supplement to the Code, 1907, as amended, and shall certify the result of said canvass to the county auditor, who shall certify to the county chairman of the respective parties a list of the delegates elected to the county convention; the county auditor shall certify to the secretary of state the result as to all other offices in the form and manner as provided in section ten hundred eighty-seven-a-nineteen (1087-a-19) and ten hundred eighty-seven-a-twenty (1087-a-20), Supplement to the Code, 1907, for representation in congress and for the office of senator in congress of the United States.

Sec. 9. On the second Monday following the primary election herein provided for, the executive council shall meet as a canvassing board and open and canvass the abstract returns received from each county in the state. If returns are not received from all the counties, the secretary of state shall immediately send a messenger after the abstract returns and the board may adjourn from day to day until they are received. The board shall make an abstract of its canvass, stating in words written at length the number of ballots cast by each political party separately for each office designated in section one hereof, the names of all the persons voted for and the number of votes received for each person for each office, the number of votes cast in favor of instructing delegates by the vote of the state at large, the number of votes cast in favor of instructing the delegates by congressional districts, and shall sign and certify thereto. Such canvass and certificates shall be final as to all candidates named herein, and the candidate of each political party for each office to be filled under the provisions of this act having received the highest number of votes in the state or district, as the case may be, shall be held to be duly and legally elected to such office, and shall be entitled to represent his political party as delegate at large or as a district delegate to the national convention, or as party national committeeman, as the case may be, and the alternate delegates herein provided to be elected shall be entitled to represent the state or district of the state, as the case mey be, in case the delegate elected fails or refuses to qualify or act.

Sec. 10. When the canvass is concluded the board shall deliver the original abstract returns with their certificate, to the secretary of state, who shall file the same in his office and record the abstracts

of the canvass by the state board and certificates attached thereto in the book kept by him, known as the "election book"; and shall forthwith issue a certificate of election to each candidate whom the certificate of the executive council shows to have been elected in the state or district, as the case may be, including alternate delegates to the national convention of each political party, and shall forward said certificate by mail to such officer at the postoffice address as shown by the records of his office; and shall certify the vote of the state on president and vice-president to the state chairman of each political party, and each candidate for president and vice-president whose names have appeared upon the official primary ballot used at said election, and shall prepare a list of the candidates elected by the several political parties including alternate delegates in their rank as herein provided, and the certificate as to each office separately for which no candidate was elected, the result of the vote on question of instructing delegates, and shall forward to the chairman of the state central committee and to the party national committeeman for the state of Iowa, a copy of such list for the party which he represents.

Sec. 11. The alternate delegates to the national convention, both at large and district delegates of each political party, shall not be entitled to represent such party unless the delegates or some one or more of them should fail or refuse to qualify or act as such delegate, and in such case the alternate delegate receiving the highest number of votes shall be entitled to act in place of the first duly elected delegate who fails to act under the provisions of this chapter for the state or district in which he was elected, and so on, to each alternate delegate.

Sec. 12. Except as herein otherwise provided, sections ten hundred eighty-seven-a-two (1087-a-2), ten hundred eighty-seven-a-three (1087-a-3), ten hundred eighty-seven-a-five (1087-a-5) as amended by chapter sixty-nine (69) acts of Thirty-third General Assembly; ten hundred eighty-seven-a-six (1087-a-6) as amended by chapter sixty-nine acts of the Thirty-third General Assembly; ten hunderd eighty-seven-a-seven (1087-a-7), ten hundred eighty-seven-a-eight (1087-a 8), ten hundred eighty-seven-a-nine (1087-a-9), ten hundred eighty-seven-a-eleven (1087-a-11), ten hundred eighty-seven-a-fifteen (1087-a-15), as amended by chapter sixty-nine (69) acts of the Thirty-third General Assembly; Ten hundred eighty-seven-a-sixteen (1087-a-16), ten hundred eighty-seven-a-seventeen (1087-a-17), ten hundred eighty-seven-a-eighteen (1087-a-18) as amended by chapter sixty-nine (69) acts of the Thirty-third General Assembly, ten hundred eighty-even-a-twenty-four (1087-a-24) as amended by chapter sixty-nine (69) acts of the Thirty-third General Assmebly, ten hundred eighty-seven-a-twenty-five (1087-a-25), ten hundred eighty-seven-a-twenty-six (1087-a-26), ten hundred eighty-seven-a-twenty-seven (1087-a-27), ten hundred eighty-seven-a-thirty-one (1087-a-31); Ten hundred eighty-seven-a-thirty-two (1087-a-32), ten hundred eighty-seven-a-thirty-three (1087-a-33) of the Supplement to the Code, 1907, are

hereby made applicable to and shall govern and control in the conduct of the election herein provided, and when so amended the bill do pass.

JOHN H. DARRAH,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Journal of March 29th was taken up, corrected and approved.

Journal of March 31st was taken up corrected and approved.

The President announced that as President of the Senate he had signed in the presence of the Senate, House Files Nos. 85, 132, 134, 385, 488, 525, 236, 408, 575, 17 and 66.

The following communication was received, read and ordered printed in the Journal:

To Hon. W. L. Harding, President of the Senate.

Hon. E. H. Cunningham, Speaker of the House,

Members of the Thirty-fifth General Assembly:

GENTLEMEN,—We cordially invite yourselves and your families, together with the secretaries, clerks, press representatives and other employees of the Thirty-fifth General Assemby, to be the guests of the Des Moines Base Ball Club at the game between the Chicago White Sox and the Des Moines League Team, at the Des Moines Base Ball Park on Saturday. Afternoon, April 5th, 1913.

DES MOINES BASE BALL CLUB,
FRANK ISBELL,
President.
THOS. FAIRWEATHER,
Secretary.

Senator Sullivan moved that the invitation be accepted.

Carried unanimously.

Senator Taylor moved that the Senate do now adourn until 1:30 p. m. today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M., President Harding presiding.

THIRD READING OF BILLS.

On motion of Senator Heald, Senate File No. 249, a bill for an act to repeal section twenty-one (21), chapter seventy-two (LXXII) of the acts of the Thirty-fourth General Assembly, relating to the powers of local authorities to regulate the use of motor vehicles upon streets and highways, and enacting a substitute therefor, was taken up, and considered.

Senator Heald moved that the substitute for the original bill be adopted.

Adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend sub-division 2 of section 1 by adding the the words "where the surface of the ground will permit" after the word "left" in line two.

Adopted.

Senator Cowles offered the following amendment and moved its adoption:

"I move to strike out paragraph 13, section 1."

Adopted.

Senator Heald moved that the sections of the bill be renumbered.

Carried.

Senator Heald 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.

Senator Malmberg was called to the chair at 1:45.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McManus, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

Chase—1.

Absent or not voting:

Ames, Farr, Francis, Jewell, Mattes, McColl, Neal, Perkins, Spaulding, Sullivan, Thomas—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Boe, Senate File No. 327, a bill for an act to amend section two thousand seventy-seven (2077) of the supplement to the code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state, at which fairs or expositions are or may hereafter be held, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator DeWolf offered the following amendment and moved its adoption:

"I move to amend by striking out the words "one hundred" in line 15 and inserting in lieu thereof "twenty-five."

Adopted.

Senator Boe 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 ayes were:

Allen, Arney, Balkema, Boe, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

Balluff—1.

Absent or not voting:

Ames, Chase, Clarkson, Francis, Garrett, Gillette, Jewell, McColl, Perkins, Spaulding, Webber—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The time having arrived for special order, Senate File No. 229, a bill for an act to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organization and in the navy from Iowa during the civil war at a home coming during the state G. A. R., encampment at Des Moines, Iowa, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Neal moved the adoption of the following amendment:

"By striking out the words "to entertain the" in the fourth (4th) line of section one (1) and inserting in lieu thereof the words: "for the board and subsistence of the."

Lost.

Senator Neal moved the adoption of the following amendment:

Strike out the word "entertain" in the fourth line of section one, and substitute in lieu thereof the words "furnish meals and

lodging to," and also add to section two the following: "who shall render an itemized account of all expenditures to the state auditor."

Adopted.

Senator Neal moved the adoption of the following amendment:

Strike out the words and figures "three thousand dollars ($3,000.00)" in the second line of section one, and insert in lieu thereof the words and figures fifteen hundred dollars ($1,500.00.)"

Senator Dunnegan moved the previous question.

Carried.

On the adoption of the amendment a roll call was demanded.

The ayes were:

Allen, Ames, Balkema, Balluff, Clarkson, Cowles, Crist, Crow, DeWolf, Doran, Dunnegan, Fellows, Gillette, Hilsinger, Jones, Larrabee, Legel, Mattes, Ream, Robinson, Savage, Schrup, Webber, White, Wilson of Clinton—25.

The nays were:

Arney, Boe, Chase, Garrett, Hagemann, Heald, Kimball, Malmberg, McManus, Neal, Nye, Sheean, Smith, Sullivan, Taylor, Thomas, Wilson of Appanose—17.

Absent or not voting:

Darrah, Farr, Francis, Jewell, McColl, Perkins, Quigley, Spaulding—8.

So the amendment was adopted.

Senator Clarkson moved that Senator Quigley be excused from voting.

Carried.

Senator Allen filed the following motion:

I move to reconsider the vote by which amendment to Senate File No. 229 passed the Senate cutting appropriation from $3,000.00 to $1,500.00.

J. H. ALLEN.

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 passed the following bill in which the concurrence of the Senate is asked:

House File No. 484, a bill for an act to amend section 2116 of the Supplement to the Code, 1907, defining reasonable passenger service.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Boe, Senate File No. 211, a bill for an act to prohibit dances in the public high and grade schools or under the auspices of such schools or any organization or society thereof, was taken up and considered.

The question was upon the motion filed by Senator Smith on March 17th to reconsider the vote by which the bill failed to pass the Senate and by which bill passed to third reading.

Senator Savage arose to a point of order that the motion to reconsider was not debatable.

President held the point of order well taken.

On the motion to reconsider a roll call was demanded.

Those favoring the motion were:

Allen, Arney, Balkema, Boe, Darrah, Dunnegan, Francis, Gillette, Heald, Jones, Kimball, Larrabee, Legel, McColl, Neal, Nye, Robinson, Smith, Sullivan, Taylor, Thomas—21.

The nays were:

Ames, Balluff, Chase, Cowles, Crow, DeWolf, Doran, Fellows, Garrett, Hagemann, Hilsinger, Jewell, Malmberg, Mattes, McManus, Quigley, Ream, Savage, Schrup, Sheean, Webber, White, Wilson of Appanoose, Wilson of Clinton—24.

Absent or not voting:

Clarkson, Crist, Farr, Perkins, Spaulding—5.

So the motion was lost.

On motion of Senator Taylor, Senate File No. 170, a bill for an act relating to the practice of dentistry and to repeal section twenty-six hundred-i (2600-i) and twenty-six hundred-j (2600-j) of the Supplement of the Code, 1907, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Taylor 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, DeWolf, Doran, Fellows, Gillette, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

Dunnegan, Quigley—2.

Absent or not voting:

Allen, Cowles, Crist, Farr, Francis, Garrett, Heald, Jewell, McManus, Perkins, Savage, White—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Smith, Senate File No. 117, a bill for an act to amend section 1087-a4 of Supplement to the Code of 1907, as amended by section 1 of chapter 58 of the acts of the Thirty-fourth General Assembly in relation to the time of holding primary elections, was taken up and considered.

The motion filed by Senator Wilson March 18th to reconsider the vote by which bill failed to pass the Senate prevailed.

Senator Wilson moved that Senate reconsider the vote by which bill passed to third reading.

Motion prevailed.

Senator Ames offered the following amendment and moved its adoption:

I move to amend by changing the word "August" to "June."

Senator Gillette was called to the chair at 3:15.

On the adoption of the amendment a roll call was demanded.

Those favoring the amendment were:

Allen, Ames, Boe, Chase, Cowles, Doran, Gillette, Jones, Kimball, Malmberg, Mattes, McColl, McManus, Quigley, Robinson, Savage, Sullivan, White, Wilson of Clinton—19.

The nays were:

Arney, Balkema, Balluff, Clarkson, Crow, Darrah, Dunnegan, Fellows, Garrett, Hagemann, Heald, Hilsinger, Larrabee, Legel, Neal, Nye, Ream, Schrup, Sheean, Smith, Spaulding, Taylor, Thomas, Webber, Wilson of Appanoose—25.

Absent or not voting:

Crist, DeWolf, Farr, Francis, Jewell, Perkins—6.

So the amendment was lost.

President Harding resumed the chair at 3:25.

Senator Smith moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Balkema, Balluff, Clarkson, Crow, Dunnegan, Fellows, Garrett, Hagemann, Heald, Hilsinger, Legel, McManus, Neal, Nye, Quigley, Ream, Schrup, Sheean, Smith, Spaulding, Taylor, Webber, Wilson of Appanoose, Wilson of Clinton—24.

The nays were:

Allen, Ames, Arney, Boe, Chase, Cowles, Darrah, Doran, Farr, Gillette, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Robinson, Savage, Sullivan, Thomas, White—21.

Absent or not voting:

Crist, DeWolf, Francis, Jewell, Perkins—5.

So the bill having failed to receive a constitutional majority was declared lost.

On request of Senator Thomas, leave of absence was granted Senator Crist for the remainder of the day.

THIRD READING OF BILLS.

On motion of Senator Heald, Senate File No. 312, a bill for an act relating to sentence and commitment of persons convicted of felony and to repeal all acts in conflict therewith, was taken up and considered.

Senator Heald offered the following substitute for Senate File No. 312:

SUBSTITUTE FOR SENATE FILE NO. 312, BY HEALD.

A BILL for an Act Amending Section Five Thousand Seven Hundred Eighteen-A-Eighteen (5718-a-18) of the Supplement to the Code, 1907, Bringing Prisoners Committed to the Penitentiaries, Serving Life Sentences for Murder, Under the Jurisdiction and Operation of the Parole Law.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section five thousand seven hundred eighteen-a-eighteen (5718-a-18) of the Supplement to the Code, 1907, is hereby amended by striking out the semi-colon after the word "penitentiary" in the eighth

line thereof and substituting therefor a comma, and adding thereto the following: "Provided, however, that a prisoner now serving or who is hereafter sentenced to serve a life sentence for murder shall be subject to parole after he has served thirty (30) years, less the diminution which would inure to said prisoner for good conduct, had a sentence been fixed for a definite term of thirty (30) years;".

Substitute read first and second times.

Senator Cowles moved that the bill be referred to committee on Judiciary.

Motion lost.

Further consideration postponed.

REPORTS OF COMMITTEES.

Senator DeWolf, from the committee on Food and Dairy, submitted the following report:

MR. PRESIDENT—Your committee on Food and Dairy to whom was referred Senate File No. 174, a bill for an act to amend the law relating to the sale of concentrated feeding stuffs, as it appears in section five thousand seventy-seven-a-eight (5077-a-8) of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and recommend the same do pass.

SHERMAN W. DEWOLF,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Food and Dairy to whom was referred House File No. 54, a bill for an act providing for the sanitation of bakeries, canneries, packing houses, slaughter houses, dairies, creameries, cheese factories, confectioneries, restaurants, hotels, groceries, meat markets, and all other food producing establishments, manufactories, or other places where food is prepared, manufactured, packed, stored, sold or distributed, and vehicles in which food is placed for transportation; providing for the licensing of persons, firms, or corporations operating or conducting bakeries, candy factories, ice cream factories, canning factories, slaughter houses, meat markets or places where fresh meats are sold at retail; fixing such license fee and the duration of such license and the rights thereunder; defining food, regulating the wholesomeness of food manufactured, prepared, packed, stored, sold, distributed or transported; defining the duties of the state food and dairy commissioner in relation thereto; providing penalties for the violation thereof.

and repealing acts in conflict therewith, beg leave to report they have had the same under consderation and recommend the same do pass.

SHERMAN W. DEWOLF,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Food and Dairy to whom was referred House File No. 220, a bill for an act to amend section three (3), chapter one hundred seventy-four (174), laws of the Thirty-fourth General Assembly, relating to the misbranding of foods, beg leave to report they have had the same under consideration and recommend the same do pass.

SHERMAN W. DEWOLF,
Chairman.

Ordered passed on file.

Senator Quigley, 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. 456, a bill for an act to amend the law as it appears in section twenty-five hundred forty (2540) Supplement to the Code, 1907, as amended by chapter one hundred fifty-three (153) acts of the Thirty-third General Assembly, relating to the use of trot lines, beg leave to report they have had the same under consideration and recommend the same do pass.

ROBERT QUIGLEY,
Chairman.

Ordered passed on file.

Senator Nye, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred House File No. 191, a bill for an act authorizing the committee of Pharmacy of the state of Iowa to pay to L. Rasmussen the sum of $100.00, paid by him for a license as an itinerant vendor of drugs, beg leave to report they have had the same under consideration and recommend the same be referred to Appropriations committee with recommendation that same do pass.

A. D. NYE,
Chairman.

Senator Nye moved the adoption of the report of the committee.

Adopted.

So the bill was referred to the committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Claims, to whom was referred House File No. 124, a bill for an act to indemnify H. C. Jackson for personal injury sustained by him while employed as head farmer at the state hospital at Mt. Pleasant, Iowa, beg leave to report they have had the same under consideration and recommend the same be referred to Appropriation committee with recommendation that same do pass.

A. D. NYE,
Chairman.

Senator Nye moved the adoption of the report of the committee.

Adopted.

So the bill was referred to the committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Claims, to whom was referred House File No. 69, a bill for an act to authorize the repayment to the estate of W. R. Benton of money paid to the state of Iowa, beg leave to report they have had the same under consideration and recommend the same be referred to Appropriation committee with recommendation that same do pass.

A. D. NYE,
Chairman.

Senator Nye moved the adoption of the report of the committee.

Adopted.

So the bill was referred to the committee on Appropriations.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 21, a bill for an act to repeal section 1869 of the Supplement to the Code, 1907, and to enact a substitute therefor, providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for a violation of the provisions of the law.

Also:

Senate File No. 152, a bill for an act to fix the date of the counting of the votes for governor and lieutenant governor and fixing the date of the inauguration of governor and lieutenant governor.

Also:

Senate File No. 302, a bill for an act to repeal the law as it appears in section ninteen hundred forty-eight (1948) of the Supplement to the Code, 1907, and to repeal the law as it appears in section nineteen hundred eighty-nine-a-fifteen (1989-a-15) of the Supplement to the Code, 1907, and to enact a substitute therefor, defining nuisances in construction of drainage ditches, and making the obstruction of such ditches and levees a misdemeanor.

Also:

Substitute for Senate File No. 176, a bill for an act to amend section one (1) of chapter sixty-eight, (68) of the acts of the Thirty-fourth General Assembly relating to the assessment and collection of a tax upon collateral estates, annuities, legacies, bequests, gifts, transfers and inheritances.

Also:

Substitute for Senate File No. 14, a bill for an act to amend chapter two hundred (200) of the acts of the Thirty-third General Assembly relating to administration of the estates of absentees.

Also:

Senate File No. 119, a bill for an act to require foreign corporations owning, controlling, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant water works, inter-urban or street railway located within the state of Iowa, or the business of such works, plants or railways or owning or controlling stock in any corporation owning, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant, waterworks, inter-urban or street railway located within the state of Iowa or the business of such plants or railways to comply with the laws governing the issuance of capital stock of domestic corporations and the making of reports by domestic corporations and to require said foreign corporations to obtain a permit to transact business

within the state of Iowa, and conferring upon courts of equity jurisdiction to dissolve and terminate corporations, works, plants or businesses violating this act and providing penalties for violations of this act.

Also:

Substitute for Senate File No. 121, a bill for an act to amend the law as it appears in chapter one hundred forty-two (142) of the acts of the Thirty-third General Assembly relating to the number of persons to whom city or town councils may by resolution grant consent to sell intoxicating liquors and making the same apply to cities acting under special charter.

Also:

Substitute for Senate File No. 175, a bill for an act to amend section twenty-three hundred forty-eight (2348) of the Code relating to bounty on wolves.

Also:

Substitute for Senate File No. 254, a bill for an act to amend the law as the same appears in sections six hundred ninety-one (691) and six hundred ninety-two (692) of the Code, relating to the jurisdiction in actions for the violation of city or town ordinances and providing for the transfer of cases from mayor's court to a justice of the peace court in certain cases.

JOHN H. TAYLOR,
Chairman.

Passed on file.

Senator Savage 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, APRIL 2, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Everett Dean Martin, Minister first Unitarian Church, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Allen presented a remonstrance of citizens of Pocahontas county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Taylor presented a remonstrance of citizens of Van Buren county opposing House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Malmberg presented a remonstrance of citizens of Jasper county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Fellows presented a remonstrance of citizens of Fayette county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow, presented a petition of citizens of Whiting, Iowa, urging passage of temperance bills.

Referred to committee on Suppression of Intemperance.

Senator Chase presented a remonstrance of citizens of Hamilton county, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator White presented a remonstrance of citizens of Iowa county, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator McColl presented a remonstrance of citizens of Wichita, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a remonstrance of citizens of Melrose and Promise City, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a remonstrance of citizens of Lineville and Russell, protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

HOUSE MESSAGES CONSIDERED.

House File No. 31, a bill for an act to repeal section six hundred seventy-four (674) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the compensation of assessors in cities and towns.

Passed on file.

House File No. 548, a bill for an act to amend section one (1) Chapter one hunderd eighty-four (184) of the acts of the Thirty-third General Assembly as amended by section one (1) of Chapter one hundred forty-five (145) of the Acts of the Thirty-fourth General Assembly, and to amend section two (2) of Chapter one hundred eighty-four (184) of the Acts of the Thirty-third General Assembly as amended by section two (2) of Chapter one hundred forty-five (145) of the Acts of the Thirty-fourth General Assembly relative to the limit of indebtedness of independent school districts.

Read first and second time and referred to committee on Schools.

House File No. 347, a bill for an act to amend section thirty-five hundred thirty-four (3534) of the code of Iowa, 1897, relat-

ing to service by publication when an affidavit is filed that personal service cannot be made on defendant within this state.

Read first and second time and referred to committee on Judiciary.

House File No. 606, a bill for an act to amend section eight hundred ninety-four (894), of the supplement to the code, 1907, relative to the levy of taxes in cities under the commission form of government.

Read first and second time and referred to committee on Cities and Towns.

House File No. 461, a bill for an act to amend the law relating to the destruction of weeds as it appears in sections three (3) and four (4) of chapter ninety-six (96) of the acts of the Thirty-third General Assembly.

Read first and second time and referred to committee on Agriculture.

House File No. 58, a bill for an act to amend section eleven hundred eighty-two (1182) of the code, 1897, relating to the giving of bonds by public officers and requiring that bonds be given by county supervisors.

Read first and second time and referred to committee on Judiciary.

House File No. 526, a bill for an act to amend section four thousand six hundred and twenty-three (4623) of the code of 1897 relating to books of account as evidence.

Read first and second time and referred to committee on Judiciary.

Senate File No. 95, a bill for an act to legalize the incorporation of the town of Sharpsburg, Taylor county, Iowa, the elections of its officers, the passage and records of its ordinances and resolutions, and all acts done by the council of said town.

Passed on file.

Senate File No. 156, a bill for an act repealing section one thousand three hundred twenty-six (1326) of the code of 1897 and enacting a substitute in lieu thereof relating to the assessment of stock of building and loan associations.

HOUSE AMENDMENTS.

Amend title by striking out the figures "1897" in the second line.

Amend by striking out publication clause.

Passed on file.

Substitute for Senate File No. 6, a bill for an act to amend section one (1), chapter one hundred six (106), acts of the Thirty-fourth General Assembly relating to the appointment of mine inspectors.

HOUSE AMENDMENTS.

Add to title the following: "relating to the appointment of mine inspectors, and fixing their term of office."

By striking out the word and figure "four (4)" as it appears in the sixth and eighth lines of section one, and inserting in lieu thereof the word and figure "six (6)."

Passed on file.

House File No. 484, a bill for an act to amend section two thousand one hundred and sixteen (2116) of the supplement to the code, 1907, as amended by Chapter 128, acts of the Thirty-third General Assembly, and to define what is reasonable passenger service on certain lines of railroads.

Read first and second time and referred to committee on Railroads.

THIRD READING OF BILLS.

On motion of Senator Heald, Senate File No. 156, a bill for an act repealing section one thousand three hundred twenty-six (1326) of the code, 1897, and enacting a substitute in lieu thereof

relating to the assessment of stock of building and loan associations, was taken up, and considered.

Senator Heald moved that the Senate concur in the following House amendments:

Amend title by striking out the figures "1897" in the second line.

Amend by striking out the publication clause.

On the question, "Shall the Senate concur in House amendment:

The ayes were:

Ames, Arney, Balkema, Balluff, Chase, Crist, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Ream, Robinson, Savage, Sheean, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Boe, Clarkson, Cowles, DeWolf, Dunnegan, Hagemann, Jewell, Quigley, Schrup, Smith, Spaulding, Taylor, Thomas, Webber—15.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator McColl, House File No. 416, a bill for an act to prohibit the extension or renewal of contracts now existing between the board of control and certain firms, associations or corporations for the services of prisoners confined at Anamosa and Fort Madison, to prohibit any further or additional contracts for the services of said prisoners; to provide the kind and character of employment for said prisoners, and the disposition and

sale of articles manufactured at any penal institution of this state, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator McColl moved the substitute for the original bill be adopted.

Adopted.

Further consideration postponed.

On motion of Senator Jones, Senate File No. 281, a bill for an act to regulate the employment of prisoners at the penitentiary at Fort Madison and making an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Crist, Crow, Darrah, Doran, Farr, Fellows, Francis, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton —37.

The nays were:

None.

Absent or not voting:

Clarkson, Cowles, DeWolf, Dunnegan, Garrett, Hagemann, Kimball, McColl, Quigley, Ream, Schrup, Sheean, Thomas—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator McColl moved that House File No. 416 be indefinitely postponed.

Carried.

So the bill was indefinitely postponed.

On motion of Senator Mattes, Senate File No. 452, a bill for an act to amend the law relating to the compensation of members of the General Assembly as the same appears in section twelve (12) of the code, as amended by chapter one (1) of the acts of the Thirty-fourth General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mattes 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Fellows, Francis, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Robinson, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Chase, DeWolf, Dunnegan, Farr, Garrett, Hagemann, Jewell, Quigley, Ream, Savage, Schrup, Sheean—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Unanimous consent was given Senator Clarkson to withdraw from consideration by the Senate, the motion offered by him April first, relative to Senate File No. 3.

On motion of Senator Darrah, Senate File No. 223, a bill for an act relating to elections and to permit a qualified voter to cast his ballot in any voting precinct within the state of Iowa and prescribing conditions and restrictions therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Darrah moved the adoption of the following amendments:

Amend the bill by striking out all after the enacting clause and substituting the following:

Section 1. That upon and after the passage of this act any legally qualified elector of the state of Iowa, who shall comply with the provisions of this act, shall be entitled to vote at any voting precinct in this state at any general election or at any primary election, providing said elector shall have not less than three nor more than ten days prior to said election, made request of the county auditor of the county in which said elector is a resident, for an official ballot and permit of non-resident to vote. Said request shall be in writing, signed and sworn to by the person making the request and shall state the name, place of residence (giving street and number if in a town or city), together with the length of time of residence of said person at said place, and the extent of affiants personal acquaintance with said person.

Upon receipt of said request, if the name of the person making same appears on the poll books in the office of the county auditor, and there accompanies said request the affidavit of at least two freeholders in said county showing identification of the person making said application with such name on said poll books, the county auditor shall issue to said person a permit to vote, which permit shall contain the name of said elector, his place of residence, and shall also state that he is a legally qualified voter of (naming precinct) precinct in said county. Should any person whose name does not appear upon the regular poll book of the precinct of his residence, make application for the permit hereinbefore provided for, the county auditor shall require of said person the affidavit of at least two freeholders in said county, showing the name, age, occupation and actual residence (giving street and number if in a city or town), of the person making such request and shall also set forth the length of time said person has resided in said place, and the extent of affiant's personal acquaintance with said person.

If upon examination of said affidavits, application and poll books, the county auditor shall determine that the applicant is a legally qualified voter of the precinct and county, he shall issue said permit, which shall be countersigned by the person to whom issued, and said signature witnessed by the county auditor. With said permit the county auditor shall also issue an official ballot upon which he shall endorse with indelible ink

the words "non-resident ballot" to be followed by the signature or facsimile of the signature of the auditor issuing said permit and ballot. He shall enclose said permit and ballot in an envelope, in which envelope he shall also enclose another envelope properly addressed to himself as county auditor, and said enclosing envelope shall be properly and securely sealed by the county auditor and delivered to the person making the request therefor.

Sec. 2 The said elector having received said permit, ballot, and addressed envelope, shall file same with the enclosing envelope unopened, with the election board of the precinct in which he desires to vote, and shall make application to said election board for the right to vote in said precinct. Said application shall be signed and sworn to by the applicant before one of the judges of election of said board, and shall state the name, age, residence, (naming street and number if in a city or town), and the occupation of the applicant, and shall also state the said applicant is the person referred to in the permit issued by the county auditor placed therewith, and that he is a legally qualified elector within the state of Iowa and desires to cast his vote in the said precinct. This application shall be accompanied by an affidavit showing that the person who desires to vote and the person to whom said permit was issued are one and the same person, which affidavit and application shall be signed and sworn to by at least one legally qualified voter of the precinct in which said application is presented.

Sec. 3. The judge of election of the precinct where said application is presented shall examine the enclosing envelope hereinbefore referred to, and if same shows from its condition that it has not been opened or tampered with they shall accept same, open said envelope, and upon examination of the contents thereof and the application to them and affidavits therewith, they shall find the applicant is the person to whom said permit was issued, they shall permit said elector to cast said ballot, and they shall enter his name and address upon the poll book in said precinct, designating him as a non-resident voter. In connection with the name of said voter they shall also list the residence as given by him in said application together with the names of the witnesses hereinbefore provided for.

Sec. 4. When said ballot is cast, same shall be delivered to the judges of election, who shall enclose said ballot together with the permit to the voter, the application to the judges and affidavits accompanying same, in the envelope addressed to the county auditor issuing said permit, and shall seal same and immediately mail said envelope to said county auditor, and upon receipt of said envelope the county auditor shall preserve same unopened until the board of supervisors of his county shall meet for the purpose of canvassing the vote of said county, whereupon said unopened envelope shall be delivered to said board and said board shall open same, and if the contents be in proper form, canvass same, adding such vote to the totals received by the various candidates for whom such non-resident voter voted, and said ballot, permit, application and affidavit shall be preserved in the same manner as other ballots.

The auditor of such county shall, upon the canvass of said ballot, enter the name of said voter upon the poll book of resident voters in the precinct in which said voter resides, and such record shall entitle the said voter to cast his vote at any election thereafter the same as though he had voted in the precinct of his residence and his vote given as hereinbefore provided for, shall have the same force and effect in all respects as though said voter had been personally present in said precinct and had cast his vote.

Sec. 5. The county auditor shall record the name and precinct of the person to whom he issues a permit under this act, and on or before the day of said election, shall certify to the election board of said precinct the name of all persons of said precinct who have received permits as herein provided, and such person or persons shall not be allowed to vote in said precinct unless such person or persons shall surrender to the judges of election of the precinct the permit so issued by said county auditor, and upon surrender of same with the envelope unopened, the person so surrendering such permit shall be given the regular ballot of the precinct and shall be entitled to there vote. Said permit so surrendered shall be returned to the county auditor.

Sec. 6. If any person other than the person to whom the permit was issued, shall present same for the purpose of voting thereon, or shall vote thereon, or shall by the use of said permit obtain the right to vote and vote thereon, he shall be guilty of a misdemeanor and shall be punished accordingly. Any person who shall swear falsely in the making of any affidavit hereinbefore provided for, shall be guilty of perjury and shall be punished accordingly.

Sec. 7. The county auditors of the several counties of the state shall furnish the necessary official ballots containing the names of all candidates for office down to and including the county ticket of their counties, as shall be required to meet the provisions of this act, and shall also furnish affidavits and applications in blank for the purposes herein provided for. No permit issued shall be of any validity nor shall same be received at any election except the election immediately following the issuance of said permit and occurring within ten days after the issuance thereof; and when so amended the bill do pass.

Adopted.

Senator Darrah 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Cowles, Crist, Darrah, Dunnegan, Farr, Francis, Heald, Hilsinger, Jewell, Jones, Legel, Malm-

berg, Mattes, McManus, Neal, Ream, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanose—29.

The nays were:

Chase, Clarkson, Crow, Doran, Fellows, Garrett, Gillette, Larrabee, Nye, Robinson, White, Wilson of Clinton—12.

Absent or not voting:

Ames, DeWolf, Hagemann, Kimball, McColl, Perkins, Quigley, Savage, Sheean—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Wilson of Clinton, Senate File No. 48, a bill for an act to repeal the law as it appears in section four hundred ten (410) and four hundred eleven (411) Supplement to the Code, 1907; and to enact a substitute therefor relating to the election, compensation, duties and terms of office of county supervisors, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson moved that the substitute for the original bill be adopted.

Adopted.

Senator Jones offered the following amendment and moved its adoption:

I move to amend the substitute for the substitute by striking out the words "and nominated and elected at large from their respective districts by the qualified voters of their respective counties," in section one (1) thereof; and by substituting for section four (4) the following:

"Such districts shall be as nearly equal in area and population as practicable each of which districts shall be entitled to one member of the board of supervisors and no civil township shall be permitted to have more than forty per cent of the members of the board of supervisors and no civil township shall be part of more than two supervisor districts.

"The members from each district shall be nominated and elected at large from their respective districts by the qualified voters of the whole county except in counties under 60,000 where such members of the board were in 1912 elected by districts they shall continue to be so elected and nominated under the other provisions of this act by the qualified voters of their respective districts.

Adopted.

Senator Perkins offered the following amendment and moved its adoption:

I move to strike out section 5.

Lost.

Senator Balkema offered the following amendment and moved its adoption:

Amend line 20 of section 1 by inserting after the word "supervisors" and before the word "has" the following, "is or".

Adopted.

Senator Wilson 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 ayes were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Fellows, Francis, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

Crow, Gillette, Perkins, Quigley—4.

Absent or not voting:

Arney, Cowles, DeWolf, Farr, Garrett, Schrup, Taylor, Webber—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Legel, Senate File No. 351, a bill for an act to promote horticulture by the creation of new and better adapted varieties through scientific cross-breeding and selection, and to make an appropriation therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Legel moved the adoption of the following amendment:

Strike out the words and figures "one thousand (1,000)" in the third line of section 1, and insert in lieu thereof the following words and figures "five hundred (500)."

Adopted.

Senator Legel 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—43.

The nays were:

None.

Absent or not voting:

Allen, DeWolf, Hagemann, Kimball, Legel, Quigley, Schrup—7.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Legel introduced the following concurrent resolution:

SENATE CONCURRENT RESOLUTION in Reference to Charles G. Patten and His Work in Fruit Tree Culture in the State of Iowa.

WHEREAS: Charles G. Patten of Charles City, Floyd county, has devoted the greater part of his life to the propagation and cross breeding of fruit trees, especially apple, plum and pear trees, and

WHEREAS: By dedicating his services to this work, which has given to that portion of Iowa and the northwest, where fruit culture was thought impossible, new and valuable varieties of fruits, which are hardy and thrive in this section, and

WHEREAS: His work has been recognized by the national government, by making his test grounds an experiment station for the furtherance of this work, and

WHEREAS: The national pomological society has recognized his worth by bestowing upon him at their Norfolk meeting in 1907, their gold medal, the highest honor at the gift of this society, therefor:

Be it Resolved by the General Assembly of the State of Iowa:

That we as representatives of the people of the great state of Iowa appreciate his work, and extend to him the thanks of the citizens of the state for his contributions to horticulture and fruit growing, two industries which add so much to the wealth and pleasure of the people; be it further

Resolved, That this resolution be spread upon the record and an engrossed copy, duly signed by the presiding officers of the legislature, and the governor of the state of Iowa, be mailed to his address.

Unanimous consent was given for the consideration of the resolution at this time.

Senator Legel moved the adoption of the resolution.

Adopted.

The time having arrived for the return of the call of the Senate as postponed yesterday, the Senate took up same for consideration.

The matter under consideration being the call of the Senate, Secretary called the roll to learn names of Senators present.

Roll call showed the following members present:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr,

Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—50.

Senator Francis moved that the call of the Senate be discharged.

Carried.

By unanimous consent Senator Cowles withdrew that part of his motion filed on March 31st, which asked to lay the motion to reconsider on the table.

The motion to reconsider the vote by which the resolution offered by Senator Savage for the appointment of a sifting committee was adopted, prevailed.

Senator Francis offered the following amendment to the resolution:

I move to amend the resolution by striking therefrom the date "April 1st" and substituting therefor the date "April 8th."

Senator Francis moved that further consideration of the resolution be postponed until Tuesday, April 8th.

Motion prevailed and consideration postponed.

THIRD READING OF BILLS.

On motion of Senator Neal, Senate File No. 200, a bill for an act to enable the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg, and to appropriate money therefor and provide for the disbursement thereof, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Neal moved the adoption of the following amendment:

Strike out the words and figures "ten thousand ($10,000.00) dollars" in the second line of section one, and in lieu thereof insert the words and figures "five thousand dollars ($5,000.00)."

On the adoption of the amendment a roll call was demanded.

Those favoring the amendment were:

Ames, Balkema, Balluff, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Mattes, McColl, Quigley, Robinson, Savage, Schrup, Spaulding, Webber—29.

The nays were:

Allen, Arney, Boe, Chase, Garrett, Hagemann, Malmberg, McManus, Neal, Nye, Perkins, Sheean, Smith, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—18.

So the amendment was adopted.

Senator Neal moved the adoption of the following amendment:

Strike out from the eighth and ninth lines of section one the words "the actual expense of" and insert in lieu thereof the words "such assistance as the commission herein provided shall judge needed toward paying the."

Adopted.

Senator Neal moved the adoption of the following amendment:

Strike out the following words in the thirteenth, fourteenth and fifteenth lines of section one, "for the governor of Iowa and his staff, for attendance at the said celebration, there shall be allowed the like expense of transportation for each person."

Adopted.

Senator Neal 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Clinton—42.

The nays were:

Wilson of Appanoose—1.

Absent or not voting:

Allen, Clarkson, Crist, DeWolf, Garrett, Kimball, Ream—7.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 377, a bill for an act to prohibit dances in the public and grade schools or under the auspices of such schools or any organization or society thereof.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 to amend section 254-a20 of the Supplement to the Code, 1907, providing for the maintenance of dependent children whose mothers are widows.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 submitting the creation of the county of Larrabee to the legal voters of the county of Kossuth, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 519, a bill for an act to amend section 181 of the Code, relating to joint committee on retrenchment and reform.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 repeal sections 1093 and 1130 of the Supplement to the Code and section 1138 of the Code, and to enact substitutes therefor, relating to boards of election and the manner of canvassing ballots.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 to provide against fraudulent advertising.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 repeal the law as it appears in section 42, acts of the Thirty-third General Assembly, and to enact a substitute therefor, providing for the selection of an official newspaper in cities and towns, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 639, a bill for an act to amend the law as it appears in chapter 2-a of title 10 of the Supplement to the Code, 1907, relative to the disbursement of surplus drainage funds.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 234, a bill for an act to regulate the business of loaning money or credit by persons, firms and corporations other than national banks, licensed banks, trust companies, savings banks, building and loan associations, real estate brokers and pawn brokers.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 33, a bill for an act to establish legal weights and measures, to provide for the inspection of same, to punish the keeping or use of false or incorrect weights and measures, etc., and to repeal acts in conflict with this act.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 114, a bill for an act to amend section 458-c of the Supplement to the Code, 1907, and chapter 32 of the acts of the Thirty-Third General Assembly, relating to the payment of claims for injuries to domestic animals.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 177, a bill for an act to repeal the law as it appears in sections 647, 648 and 651 of the Supplement to the Code, 1907, and to enact substitutes therefor, relative to the election and appointment of certain officers in cities and towns.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 legalize deeds and instruments of conveyance, tax deeds, etc., and all other conveyances made and recorded prior to the first day of January, A. D. 1890, additional to chapter 6, title 14 of the Code, relating to the conveyance of real estate.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 413, a bill for an act to legalize the incorporation and acts and proceedings of Leopold desk company of Burlington, Des Moines county, Iowa.

A. C. GUSTAFSON,
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. 87, a bill for an act to amend the law as it appears in section 2578 of the Supplement to the Code, 1907, relating to revocation of physicians' certificates and defining unprofessional conduct.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the report of the conference committee and the substitute amendment recommended by the conference committee to the following bill in which the concurrence of the House was asked:

Substitute for Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the Code, and to enact a substitute therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

House Concurrent Resolution relative to directing the secretary of state to compile and codify the road laws of the state and publish them in pamphlet form for general distribution.

A. C. GUSTAFSON,
Chief Clerk.

Senator Heald offered the following resolution and moved its adoption:

RESOLUTION.

WHEREAS: The Honorable P. M. Jewell, Senator from the Twenty-fourth Senatorial District, has been compelled to be absent the major portion of this session on account of serious illness, but has been restored to health to such an extent as to be able to again be in his seat, now therefore be it

Resolved, By the Senate that we extend to him our greetings and express by this resolution our congratulations upon his return and our best wishes for his speedy and complete recovery.

Adopted.

Senator Jewell responded as follows:

I cannot express to you my sentiments, and thankfulness, and kindly feeling for the expression given in this resolution; I simply say that I appreciate it beyond words, and thank you sincerely.

Senator Boe introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

WHEREAS: The governor in a communication addressed to the General Assembly, dated March 25, 1913, called attention to the progressiveness of agriculture and the maintained fertility of the soils of Denmark, Norway, Sweden, England, Germany and France, and asked permission of the General Assembly to appoint a commission to visit these and other countries to study their agricultural conditions and report to the people of Iowa, therefore be it

Resolved by the Senate, the House Concurring, That the governor be and is authorized to appoint not more than three persons to act as a commission to visit these countries, study their agricultural conditions and make report, such commission to act without expense to the state.

Unanimous consent was given to consider the resolution.

On motion of Senator Boe the resolution was adopted.

THIRD READING OF BILLS.

On motion of Senator Ames, House File No. 260, a bill for an act to amend section two thousand seven hundred twenty-seven-c (2727-c) of chapter eleven-a (11-a) supplement to the code, 1907, relating to school for blind, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ames 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Cowles, Crist, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Balluff, Chase, Crow, DeWolf, Dunnegan, Heald, Kimball, McManus, Quigley, Ream, Thomas, Webber—12.

Senator Ames offered the following amendment to the title and moved its adoption:

Amend title by striking out the word "school" and insert in lieu thereof the word "college."

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended was agreed to.

The President announced that as President of the Senate in the presence of the Senate he had signed House Files Nos. 356, 55 and 375.

Senator Francis filed the following motion:

I move to reconsider the vote by which consideration of the resolution for appointment of a sifting committee was postponed until 10 o'clock A. M., April 8, 1913.

L. E. FRANCIS.

INTRODUCTION OF BILLS.

By Senator Cowles, Senate Joint Resolution No. 13.

JOINT RESOLUTION, Relating to the Action of the State Board of Education in Reference to Certain Changes in the Courses of Study in the Different Institutions under their Control.

Be it Resolved by the General Assembly of the State of Iowa:

That whereas conditions have arisen which make it unwise for the state board of education to carry into effect its order of October 8, 1912, relating to changes in the courses of study in the different schools under supervision of the board, therefore, be it resolved that the board of education is requested to rescind its order of October 8, 1912.

Read first and second time and referred to committee on Educational Institutions.

REPORTS OF COMMITTEES.

Senator Cowles, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance to whom was referred Senate File No. 522, a bill for an act to establish an insurance department. providing for an insurance commissioner defining his duties, fixing his compensation and determining his term of office, beg leave to report they have had the same under consideration and recommend the same do pass.

LAMONTE COWLES,
Chairman.

Senator Cowles moved the adoption of the report of the committee and that the bill be referred to committee on Appropriations.

Adopted.

So the bill was referred to committee on Appropriations.

Senator Francis, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 465, a bill for an act to legalize the special election held in the city of Valley Junction, Iowa, on the 14th day of March, 1913, wherein there was submitted to the voters of said city the question of purchasing and erecting and estabishing a water works and electric light and power plant etc; beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 3, a bill for an act to provide, secure and pay compensation for employes who sustain injury while in line of duty; beg leave to report they have had the same under consideration and recommend that same be referred to the Appropriations committee. The committee adopted the following amendments and return same herewith.

AMENDMENTS TO SENATE FILE NO. 3.

1. Strike out the catch lines wherever the same appear in the original bill..

2. Strike out the title, and substitute therefor the following:

"A BILL for an Act Relating to Employers' Liability for Personal Injury Sustained by Employes in Line of Duty, Fixing Compensation Therefor, Securing the Payment Thereof by Indemnity Insurance, Creating a Board of Directors for the Management Thereof, Defining their Powers and Duties Relating Thereto, Providing for the Appointment of Three Commissioners, and Defining their Power and Duties."

3. Strike out all of sub-division (a) and (b) following the words and figures "Section 1.", and ending with the word "obligatory" in sub-division (b), and substitute the following therefor:

"Section One: (a) Except as by this act otherwise provided, it shall be conclusively presumed that every employer as defined by this act has elected to provide, secure and pay compensation according to the terms, conditions, and provisions of this act for any and all personal injuries sustained by an employee arising out of and in the course of the employment; and in such cases the employer shall be relieved from other liability for recovery of damages or other compensation for such personal injury, unless by the terms of this act otherwise provided; but this act shall not apply to any household or domestic servant, farm or other laborer engaged in agricultural pursuits, nor persons whose employment is of a casual nature.'

(b) Where the state, county, municipal corporation, school district, cities under special charter and commission form of government is the employer, the terms, conditions and provisions of this act for the payment of compensation and amount thereof for such injury sustained by an employee of such employer shall be exclusive, compulsory and obligatory upon both employer and employee."

4. Strike out the word "If" as the same appears at the beginning of sub-division (c) of section one. Strike out the small letter "a" in the word "an" as the same appears in the first line of sub-division (c) and substitute therefor the capital letter "A".

5. Strike out the word "to" as the same appears in the first line of sub-division (1) of sub-division (c) of section one, following the word "inherent" and substitute therfor the word "in".

6. Strike out the words "terms of this act" as the same appear in the original bill, sub-division (b) of section 3 with reference to employes' notice to reject.

7. Following the words "notary public" at the end of section 3, and beginning a new paragraph without number, insert the following as a part of section 3.

"In any case where an employee or one who is an applicant for employment elects to reject the terms, conditions, and provisions of this act, he shall, in addition to the notice required by sub-division (b) of section 3 of this act, state in an affidavit who, if any person, requested, suggested, or demanded of such person to exercise the right to reject the provisions of this act. And if request, suggestion, or demand has been made of such employee by any person, such employee shall give and state the name of the person who made the request, suggestion or demand, and all of the circumstances relating thereto, the date and place when and where made, and persons present, and if it be found that the employer of such employee, or an employer to whom an applicant for employment, or any person a member of the firm, association, corporation, or agent or official of such employer, made request, suggestion, or demand of such employee or applicant for employment to reject the terms, conditions and provisions of this act, such request, suggestion, or demand if made under such conditions, shall be conclusively presumed to have been sufficient to have unduly influenced such employee or an applicant for employment to exercise the right to reject the terms of this act, and the rejection made under such circumstances shall be conclusively presumed to have been procured through fraud and thereby fraudulently procured, and such rejection shall be null and void and of no effect.

No person interested in the business of such employer, financially or otherwise, shall be permitted to administer the oath in the affidavit required in case an employee or applicant for employment elects to exercise the right to reject the provisions of this act. And the person administering such oath in making such affidavit, shall carefully read the notice and affidavit to such person making such rejection, and shall explain that the purpose of the notice is to bar such person from recovering compensation in accordance with the schedule and terms of this act in the event that he sustains an injury in the course of such employment. All of which shall be shown by certificate of the person administering the oath herein contemplated. The industrial commission, or any person acting for such commission, shall refuse to file the notice and affidavit, unless such notice, affidavit and certificate fully, and in detail, comply with the requirements hereof. And if such rejection, affidavit and certificate is found insufficient for any cause, shall be returned by mail or otherwise to the person who executed the instrument."

8. Following the word "has" in the fourth line of section 10 of the original bill, insert the words "given such notice and".

9. Strike out the word "workmen's" as the same appears beginning in the next to the last line of sub-division (c) of section 10, and insert in lieu thereof the word "employer's".

10. Strike out the clause containing the words and figures "and a minimum of five dollars ($5.00) per week" following the word "week" in the 5th line of sub-division (h) section 10 of the original bill, and substitute therefor the following: "then he shall receive the full amount of wages per week".

11. Insert immediately preceding the word "payable" in the last line sub-division (j) of section 10, the following words, "per month".

12. Strike out the word "is" as the same appears at the beginning of line 2, section 20, following the word "employee" and insert in lieu thereof the word "becomes".

13. Following the word "debts" in line 11, section 20 of the original bill, insert the following:

"Provided further, that the lien in favor of such employee shall not be enforceable for and during the time that such employer or any person for him pay the premiums to the employers' indemnity association from time to time as the same becomes due, in accordance with the provisions of this act. Provided further, that such lien in favor of such injured employee shall be subject to any lien to which any person, firm, association or corporation is entitled for material furnished or labor performed at the time when such employee received an injury within the meaning of this act.

Provided further any person, firm, association, or corporation, a creditor of such employer shall have the right to pay the insurance premiums to the employers' indemnity insurance association for and in behalf of such employer, and the amounts paid, not exceeding one year insurance premium, with legal interest, shall be a preferred claim or a lien against the property rights of such employer to any and all other claims or liens, except taxes. Provided, further, that the amounts paid by such creditor in excess of premiums for one year, with legal interest, shall be a preferred claim for a lien against the property rights of such employer to any and all other claims or liens, except the amount due or that becomes due an injured employee of such employer, taxes, and mechanics liens as provided by this act.

14. Insert a comma following the word "may" in the 8th line of section 23. Also, strike out the word "may" preceding the word "voluntary" in line 10 of said section 23.

15. Strike out all of section 24, and substitute therefor the following:

"Section 24. There is hereby created, a board which shall be known as the Iowa industrial commission, consisting of three members, not more than two of whom shall be of the same political party, to be appointed by the governor, by and with the consent of the Senate. The term of office of the members of the commission shall be six years, except that when first constituted, one member shall be appointed for two years; one

for four years; and one for six years. Thereafter one member shall be appointed, at the expiration of any term of office, for the full term of six years. Appointments may be made to fill vacancies or otherwise, when the Senate is not in session, but shall be acted upon at the next session thereof. The member appointed for the two year term shall act as chairman of the commission, and thereafter the member whose term shall first expire, from time to time, shall serve in that capacity; provided that if an appointment be made to fill a vacancy from any cause of a member while filling the position of chairman, the member whose term shall next expire shall succeed the office of chairman."

16. Strike out the words and figures "five thousand ($5,000.00) as the same appears at the end of line five, and beginning of line six, section 25 of the orginal bill, and substitute the words and figures, four thousand two hundred ($4,200.00).

Also, strike out the words and figures "fortyfive hundred ($4,500.00) as the same appears in line 7, section 25, and insert in lieu thereof the words and figures "four thousand ($4,000.00).

17. Following the word "may" in the 8th line of section 25, insert the following, "fix the salary and".

Strike out the words "and fix their compensation" in the 9th line of section 25, following the word "needed", and substitute therefor the words, "including a competent actuary whose services shall be under the direction of the industrial commission, who may authorize the actuary or any person of the acturial department of the commission, or any person of any other department of the commission to co-operate with the employers' indemnity association in the performance of the work in classifying risks and fixing premium rates or any other work mutually agreeable to the industrial commission and the employers' indemnity association."

18. Following the period after the word "fit" in line 34 of section 25 of the original bill, insert the following:

"It shall be unlawful for any appointee by the commission to espouse the election or appointment of any candidate for or to any political office, or contribute to the campaign fund of any political party, or to the campaign fund of any person who is a candidate for election or appointment to any political office, and any person performing the duties as an appointee under the commission, violating the provisions of this act shall be sufficient cause for dismissal and removal from office."

19. Strike out the dollar sign in line 46 of section 25, and insert after the word "of" in said line 46, the words and figures "forty thousand dollars ($40,000.00)".

20. After the period following the word "offense" at the end of section 38, insert the following:

"All books, records and pay-rolls of the employers, coming under this act showing or reflecting in any way upon the amount of wage expenditure of such employers, shall always be open for inspection by the industrial commission or the members thereof, or any of its representatives presenting a certificate of authority from said commission for the purpose of ascertaining the correctness of the wage expenditure; the number of men employed and such other information as may be necessary for the uses and purposes of the commission in its administration of the law. But information obtained within the contemplation of this act shall be used for no other purpose than the information of the commission or employers' indemnity insurance association with reference to the duties imposed upon such commission or employers' indemnity association. A refusal on the part of the employer to submit his books, records or pay-rolls for the inspection of any members of the commission, or its authorized representatives presenting written authority from the commission, shall subject the employer to a penalty of one hundred dollars ($100.00) for each such offense to be collected by civil action in the name of the state, and paid into the employers' indemnity association fund to become a part thereof."

21. Strike out the word "other" as the same appears in the second line following the word "any" in section 39.

22. Strike out all of section 42, and insert the following in lieu thereof:

"Sec. 42. The governor shall remove from office any member of the commission on the grounds of inefficiency, neglect of duty, or the doing of any act prohibited by law, or malfeasance in office, upon written charges having been filed with the executive council and sustained by proofs. But written notice of such charges, together with a copy thereof, shall be served upon the accused ten (10) days before the time fixed for hearing. The executive council shall have jurisdiction to hear the case, and shall make such finding in accordance with justice and the law. It shall be reduced to writing, and report and finding filed with the governor."

23. Strike out the comma and the words "employing five or more employes coming under this act" following the word "act" as appears in lines 5 and 6, section 48, and also strike out the comma following the word "act" in the 6th line of section 48.

24. Strike out the words "the amounts as" following the word "in" in line 18, section 50 of the original bill, and also strike out all of lines 19, 20, 21, 22, 23, 24, 25, 26, and 27, and the words "one hundred thousand dollars ($100,000.00) and the comma following the word "dollars" in line 28, and substitute therefor the following: "such amount in the aggregate as may be reasonably adequate to protect the indemnity association, its members and their employes in case of catastrophe and."

25. Following the word "regulation" at the end of section 54, insert the following:

"All books, records and payrolls of the employers of this state coming under this act showing or reflecting in any way upon the amount of wage expenditure of such employers, shall always be open for inspection by the employers' indemnity association or the officers thereof, or any of its representatives presenting a certificate of authority from said association for the purpose of ascertaining the correctness of the wage expenditure, the number of men employed and such other information as may be necessary for the uses and purposes of the association in its administration of the law. A refusal on the part of the employer to submit his books, records or payrolls for the inspection of any member of the association or its authorized representatives presenting written authority from the association shall subject the employer to a penalty of one hundred ($100.00) dollars for each offense to be collected by civil action in the name of the state and paid into the employers' indemnity association fund to become a part thereof.

Any employer who misrepresents to the employers' indemnity association, the amount of payroll upon which the premium under this act is based, shall be liable to said association in ten times the amount of the difference in premium paid and the amount the employer should have paid. The liability to the association under this section shall be enforced in a civil action in the name of the assocation and all sums collected under this section shall be paid into the reserve fund of the association."

26. After the period following the word "effect" at the end of section 57, insert the following:

"In any case where an employer rejects the terms, conditions, and provisions of this act as provided herein, any person, firm, association, corporation or company issuing a policy of insurance to such employer by the terms of which the obligor agrees to indemnify the obligee, the employer, for any amount against loss by reason of injury sustained by the employe of such employer. The policy or contract of insurance in any such case shall contain among the terms, conditions, and provisions thereof, the following:

"The (insert name of obligor issuing the policy) hereinafter called the company, in consideration of the premiums set forth in the schedule together with the covenants herein contained, does hereby agree to indemnify the person, firm, association or corporation hereinafter named, or the legal representatives of such person deceased, or the receiver or other person appointed by any court to take charge or control of the property or business of the person, firm, association or corporation hereinafter named, herein called the assured, against loss from liability adjudicated by any court of competent jurisdiction, and said company agrees to pay in full with costs and interest any and all amounts due or that may be finally adjudicated as due such employee upon such claim.'

"In an action brought by an employee of such employer, or when the action is brought by one entitled to bring the same, to recover damage for personal injury sustained, the party plaintiff shall have the right to join the person, firm, association, corporation or company issuing such policy of insurance as a party defendant, and the judgment rendered and entered shall be a first lien against the property of the principal defendant, the employer, except taxes and claims now allowed by statute for preferred claims for wages, and the judgment, if the verdict be for plaintiff, shall be entered against both the principal defendant and the company for the full amount thereof.

Any person, firm, association or corporation in this state authorized to issue policies of insurance to indemnify an employee against loss for injury sustained by an employee of such employer, such person, firm, association or corporation shall submit to the auditor of state its form or policy for approval, who shall reject the same unles the policy contains without limitation or qualification the provisions provided for as contemplated by this act, with reference to policies of insurance issued to employers who reject the terms and provisions of this act; and any person, firm, association or corporation issuing or aiding and assisting in issuing a policy of insurance not having been approved by the auditor of state shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five hundred ($500.00) dollars, nor more than one thousand ($1,000.00) dollars, and shall operate as a forfeiture of the right to transact such business in this state, and the privilege theretofore granted shall be revoked and cancelled."

L. E. FRANCIS,
Chairman.

Senator Clarkson moved that the amendments offered by Judiciary committee to Senate File No. 3 be adopted.

Adopted.

Senator Francis moved the adoption of the report of the committee.

Senator Clarkson moved to amend the motion to read, be referred to committee on Appropriations with instructions to return same to Senate not later than Friday, April 4th, at ten o'clock a. m., and that the bill be made a special order for that time.

Carried.

Motion as amended prevailed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 331, a bill for an act to amend section 2792 of the Code of 1897, relating to the restoration of territory of the school district from which it has been taken, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 331.

A BILL for an Act to Repeal Section Twenty-seven Hundred Ninety-two (2792) of the Code, Relating to the Restoration of Territory to the School District from Which it has been Taken and Enact the Following in Lieu Thereof.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section twenty-seven hundred ninety-two (2792) of the Code be and the same is hereby repealed and the following enacted in lieu thereof: "Where territory has been or may hereafter be set off to an adjoining school township in the same or in another county, or attached for school purposes to an independent district so situated, or has been or may hereafter be severed from a municipal corporation under the provisions of section six hundred twenty-two (622) of the Supplement to the Code, 1907, and acts amendatory thereto, all or any portion thereof may be restored to the territory to which it geographically belongs or in case of severance of territory from a municipal corporation, each tract so severed, or any portion thereof, may be restored to the territory to which it belonged before annexation to such municipal corporation, upon the concurrence of the respective boards of directors and shall be so restored by said boards upon the written application of two-thirds of the electors residing upon any tract of land so set off, attached or severed from a municipal corporation; provided in case of territory severed from municipal corporation the said application for restoration of such territory shall be filed with the secretary of the respective boards within eight (8) months of the date when such territory was so severed from the municipality."

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.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 471, a bill for an act to amend the law as it appears in section 298 of the Supplement to the Code, 1907, as amended by chapter 16 of the acts of the Thirty-third General Assembly, relating to the compensation of clerks of the district court and their deputies, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 498, a bill for an act authorizing and directing the governor and secretary of state to execute a quit claim deed conveying to J. B. Keeler all of the right, title and interest of the state of Iowa in or to lots 4, 5, 6 of section 13, township 99, range 33, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 445, a bill for an act to confirm the title of Anna L. Edgar to the west one-half of the southwest quarter of section 2, township 89, range 34, west of 5th P. M., Iowa, and authorizing the issuance of a patent therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 512, a bill for an act to amend section 4661 of the Code, relating to witness fees, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 356, a bill for an act to amend chapter 227, acts of the Thirty-third General Assembly, relating to sufficiency of indictments, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 508, a bill for an act to amend section 836 of the Code in reference to reassessment for local improvements, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 518, a bill for an act to amend the law relating to the time within which appeals may be taken to the supreme court as the same appears in section 4110 of the Code and section 5448 of the Code as amended by chapter 228 of the acts of the Thirty-third General Assembly, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 447, a bill for an act to amend section 253 of the Supplement to the Code, 1907, relating to the salary of judges of the supreme court, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 419, a bill for an act to prevent the issuance of free passes for admission to the Iowa state fair, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the period at the end of section 1, inserting a comma, and adding the following: "and to persons actually in charge of exhibits, employes of the fair and the governors of this and other states"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 367, a bill for an act relating to levees, drains, ditches and water courses, additional to chapter 2, title X of the Code and amendments thereto and to chapter 2-a, title X of the Supplement to the Code, 1907, and amendments thereto and amending section 1989-a-21 and section 1989-a-92 of the Supplement to the Code, 1907, and section 1989-a-49 as amended by section 7, chapter 87, laws of the Thirty-fourth General Assembly, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By inserting before the word "upon" at the beginning of line 3, of section one the words, "having and operating a pumping station"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 440, a bill for an act to amend the law as it appears in section 3447 of the Code of Iowa and to fix the time within which certain actions for the recovery of real estate may be brought, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 492, a bill for an act to legalize the platting of an addition to the town of Kensett, Iowa, executed by Mrs. Margaret Lukason, dated March 21, 1898, and filed for record in the office of the recorder of Worth county, Iowa, April 9, 1898, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 449, a bill for an act to amend the law as it appears in section 1, chapter 37, acts of the Thirty-fourth General Assembly, relating to public nuisances, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 434, a bill for an act to license civil engineers and

surveyors to practice in the state of Iowa, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 406, a bill for an act to repeal section 3138 of the Supplement to the Code, 1907, and chapter 195 of the laws of the Thirty-third General Assembly and to enact a substitute therefor, relating to the care of property belonging to guests of hotels and inns and liability for the loss thereof, and lien of hotel and inn keepers thereon, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Public Health.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Public Health.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 115, a bill for an act to amend section 740 of the Supplement to the Code, 1907, as amended by chapter 47 of the acts of the Thirty-third General Assembly, relating to powers of counties, cities, towns, civil townships wholly outside any city or incorporated town and school corporation to take property by gift or bequest, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL for an Act Creating Cities, Including Cities Under the Commission Form of Government, Incorporated Towns, and Civil Townships Wholly Outside of any City or Incorporated Town, Trustees for Funds Bequeathed or Donated for the Permanent Maintenance of Property Within Cemeteries; and to Amend the Law as it Appears in Section

Two Hundred Fifty-four-a-twelve (254-a-12) of the Supplement to the Code, 1907, Relating to the Appointment of Trustees by the District Court to Manage, Control, and Invest Cemetery Funds; and to Amend the Law as it Appears in Section Seven Hundred Forty (740) of the Supplement to the Code, 1907, and as Amended by Chapter Forty-seven (47) of the Acts of the Thirty-third General Assembly, Relating to the Maintenance of Certain Institutions of Benevolence, Including Hospitals.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in section 254-a-12 of the Supplement to the Code, 1907, be and the same is hereby amended by inserting, after the comma following the word "cemeteries" in the fourth line of said section, the following words "unless otherwise provided by law,".

Sec. 2. That the law as it appears in section 740 of the Supplement to the Code, 1907, be and the same is hereby amended by inserting, after the word "towns" in the first line of the said section a comma (,), and after the comma so inserted the words "civil townships wholly outside of any city or incorporated town,".

Sec. 3. That the law as it appears in section 740 of the Supplement to the Code, 1907, as amended by chapter 47 of the acts of the Thirty-third General Assembly, be and the same is hereby amended by adding thereto the following:

"That cities, including cities under commission form of government and cities under special charter, incorporated towns and civil townships wholly outside of any city or incorporated town shall for the purposes of this act be and they are hereby created trustees in perpetuity, and are authorized and required to accept, receive and expend all moneys and property donated or left to it by bequest, to be used in caring for the property of the donor in any cemetery, or in accordance with the terms of such donation or bequest, and the money or property thus received shall be used for no other purpose whatever. That the mayor and council of such cities and towns, and the township trustees of civil townships wholly outside of any city or incorporated town shall have authority to receive and invest all moneys and property, so donated or bequeathed, in bonds of the United States, or municipal bonds, or certificates, or other evidence of indebtedness issued by authority of and in accordance with the laws of this or any other state, when same are at or above par, and shall use the income from such investment in caring for the property of the donor in any cemetery, or as shall be provided in the terms of such gift or donation. Provided, however, that before any part of the principal may be so invested or used, the said city, incorporated town or civil township shall by resolution, in accordance with the law as now provided, accept said donation or bequest, and shall, by said resolution, duly provide for the payment of interest thereon at

the rate of not less than two per centum per annum, payable annually, to the cemetery fund or to the cemetery association, or to the person having in charge of said cemetery, to be used in caring for or maintaining the individual property of the donor in said cemetery, all to be in accordance with the terms of the donation or bequest.

All acts or parts of acts in conflict herewith are hereby repealed"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 5, a bill for an act providing for the non-partisan nomination and election of judges of the supreme, district and superior courts of Iowa, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 5.

A BILL for an Act Providing for the Non-partisan Nomination and Election of Judges of the Supreme, District and Superior Courts of Iowa.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That from and after the passage of this act, all candidates for the office of judge of the supreme, district and superior court, in the State of Iowa, shall be nominated at the regular primary election, and elected at the general election in November, in the manner hereinafter provided.

Sec. 2. Any person desiring to become a candidate for the office of supreme or district judge at the regular primary election shall, not less than forty (40) days prior to the date of such primary election, file in the office of the Secretary of State, a petition favoring his nomination signed by qualified electors as follows: If the person on whose behalf said petition is filed is a candidate for nomination for judge of the supreme court, said petition shall be signed by not less than five thousand (5,000) qualified electors of the state of which at least thirty (30) shall reside in each county of the state, and the name of such candidate shall not appear upon the primary ballot in any county where the petition of the required thirty (30) qualified electors has not been filed. If the person on whose behalf said petition is filed is a candidate for nomination for judge of the district

court, said petition shall be signed by not less than five hundred (500) qualified electors of the judicial district for which he is a candidate, and at least fifty (50) of such qualified electors shall reside in each county of such district, and the name of any such candidate shall not be printed upon the primary ballot in any county of such district where the petition signed by the required fifty (50) qualified electors has not been filed. Any person desiring to become a candidate for the office of judge of the superior court at the regular primary election shall, not less than forty (40) days before such primary election, file in the office of the county auditor in the county in which said court is located a petition favoring his nomination signed by not less than two hundred fifty (250) qualified electors of the municipality in which said superior court is located.

Sec. 3. At all primary elections at which candidates for judges are to be nominated, there shall be provided on each ballot for each political party, a ticket entitled "Non-partisan judiciary ticket", and the names of such candidates as shall have complied with the requirements of this act shall be placed thereon in the same order as the names of the party candidates, but without any party designation; and the ticket shall be the same on all ballots, except as varied to change the alphabetical rotation. The number of judges each elector is entitled to vote for shall be stated on the ballot. Each elector shall be allowed to vote at each primary for twice as many candidates to be nominated as there are number of places to be filled at the election. In case of a tie vote which leaves it unsettled as to which candidates are nominated, the Secretary of State shall determine it by lot, except as to Superior judge in which case the county auditor instead of the secretary of state shall determine who is nominated in the same manner by lot.

Sec. 4. At the general election in November there shall be placed on the ballots a separate ticket entitled non-partisan judicial ticket, upon which shall be placed the names of the candidates nominated for judges of the supreme court, district, or superior courts in the state, and in the several districts and cities who have been nominated as herein provided. The names of all candidates shall be placed on said ticket and in the same order as far as possible as other candidates and with the same provisions with reference to alphabetical rotation and the number of candidates for each office to which the elector is entitled to vote. The candidate or candidates on such judicial ticket receiving the highest number of votes shall be considered elected.

Sec. 5. The method of withdrawal, filling vacancies, conducting such primary and general elections, of preparation of the ballot, of canvassing the vote, of announcing the result, of recounting the ballot, of publishing notice of nomination and election, and the penalty for the illegal voting, misconduct of the election officials, and the

making of the sworn return of nomination and election expenses, shall, so far as applicable, be the same as now provided for the regular primary and general election laws of Iowa.

Sec. 6 All acts and parts of acts inconsistent with this act, are hereby repealed; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 313, a bill for an act to legalize certain warrants of the city of Iowa City, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 299, a bill for an act to amend section 3705 of the Code, relating to instructions to juries, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 192, a bill for an act to amend the law as it appears in paragraph 3 of section 3447 of the Code, relating to the time of bringing action to set aside a will, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House Joint Resolution No. 4, a joint resolution proposing an amendment to the constitution of the state of Iowa, authorizing the General Assembly to provide for the exclusive taxation of classes of property for state revenue purposes, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 486, a bill for an act to legalize the passage, adoption and publication of the ordinances of the incorporated town of Rowan, Wright county, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 652, a bill for an act to legalize the acts of the electors of the city of Osceola, Iowa, in voting for the issuance of bonds in aid of improvement and extension of the city water works, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By adding as section two thereof the following:

"Nothing herein shall affect pending litigation"; and by renumbering section 2 as section 3; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Senator Malmberg, from the committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your committee on Constitutional Amendments to whom was referred House Joint Resolution No. 3, a resolution proposing an amendment to the constitution of the state of Iowa, repealing section 7 of article 2 of said constitution and proposing a substitute therfore, relating to and providing for the time of holding elections; beg leave to report they have had the same under consideration and recommend the same do pass.

ED. P. MALMBERG,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Constitutional Amendments to whom was referred Senate Joint Resolution No. 4, a joint resolution proposing amendment to the constitution of the State of Iowa, repealing section 7 General Assembly to provide for the exclusive taxation of classes of property for state revenue purposes; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ED. P. MALMBERG,
Chairman.

Ordered passed on file.

Senator Allen, 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. 446, a bill for an act to amend section four (4) of chapter sixty-three (63), acts of the Thirty-fourth general Assembly; beg leave to report they have had the same under consideration and recommend the title be amended as follows:

Strike out the "." (period) after the word "assembly" and insert a "," (comma) and add the words "relating to assessment of stocks of national, state and savings banks", and when so amended the bill do pass.

J. H. ALLEN,
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. 41, a bill for an act to provide for the manufacture and sale of binding twine at the reformatory at Anamosa, to make an appropriation therefor, and to punish violation of this act and of agreements made under its provisions.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked.

House File No. 316, a bill for an act to amend the law relating to the granting of franchises by cities and towns, as it appears in section 776 of the Supplement to the Code, 1907, as amended by chapter 44 of the acts of the Thirty-third General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked.

House File No. 340, a bill for an act to amend the law as it appears in sections 1072, 2742, 1272, Supplement to the Code, 1907, relating to the office of county superintendent of schools; to repeal section 2734-b, Supplement to the Code, 1907, relating to the office of county superintendent of schools and to provide for the election, qualifications, duties and compensation of a county superintendent of schools.

A. C. GUSTAFSON,
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. 282, a bill for an act to prohibit trespassing on railway tracks, rights of way, cars and engines and providing a penalty for the violation thereof.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended by substitute amendment and passed the following bill in which the concurrence of the House was asked.

Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, duties, etc.

A. C. GUSTAFSON,
Chief Clerk.

REPORTS OF COMMITTEE.

Senator Allen, 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. 357, a bill for an act to amend chapter sixty-two (62) of the acts of the Thirty-fourth General Assembly by striking out the last four (4) lines of section one (1) of said chapter and enacting a substitute therefor relating to the exemption from taxation of property of an honorably discharged union soldier or sailor of the Mexican war or of the war of the rebellion or of the widow of such soldier or sailor; beg leave to report they have had the same under consideration and recommend the same do pass.

J. H. ALLEN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred House File No. 119, a bill for an act to amend section four hundred and thirty (430) of the Supplement to the Code, 1907, as amended by chapter twenty-five (25) of the laws of the Thirty-fourth General Assembly relating to the dependent soldiers' and sailors' tax; beg leave to report they have had the same under consideration and recommend the same do pass.

J. H. ALLEN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred Senate File No. 460, a bill for an act to amend section eight hundred ninety-four (894) of the Supplement to the Code, 1907, relative to the levy of taxes in cities under the commission form of government; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. H. ALLEN,
Chairman.

Senator Allen moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred Senate File No. 343, a bill for an act to create a board of tax commissioners in counties having a population of seventy-five thousand (75,000) or more, according to the last census, and defining the powers and duties thereof; beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the words and figures "seventy-five thousand (75,000)" in line two of the bill and inserting in lieu thereof the words and figures "ninety thousand (90,000), and when so amended the bill do pass.

J. H. ALLEN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred Senate File No. 285, a bill for an act to provide for a filing and recording fee for real estate mortgages; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. H. ALLEN,
Chairman.

Senator Allen moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred Senate File No. 133, a bill for an act repealing section ten (10) of chapter twenty-six (26) of the acts of the Thirty-third (33d) General Assembly of the state of Iowa, and substituting therefor not more than a one (1) mill levy upon the assessed value of the taxable property in any county exercising the rights conferred by said chapter; beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the word and figure "one (1)" in line three on page two of the bill and inserting in lieu thereof the words and figures "one-half (1-2)", and when so amended the bill do pass.

J. H. ALLEN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred Senate File No. 442, a bill for an act to provide for the raising of revenue for state, county, town, cities and other sub-divisions by taxation, and providing by whom and in what manner assessments, equalizations and levies shall be made, and repealing sections one thousand three hundred and seven (1307), one thousand three hundred and eight (1308), one thousand three hundred and nine (1309), one thousand three hundred and ten (1310), one thousand three hundred and eleven, etc.; beg leave to report they have had the same under consideration and recommend the same do pass.

J. H. ALLEN,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

House File No. 375, a bill for an act to authorize the sale and conveyance of that part of the west half (W.½) of the southwest quarter (S.W.¼) of section numbered nineteen (19) in township numbered seventy-eight (78) north of range numbered four (4), east of the fifth principal meridian, bounded by lines described as follows: Commencing

at a point in the east boundary line of said west half (W.½) of the southwest quarter (S.W.¼), twenty-three 12-100 (23.12) chains north of the southeast corner of said west half (W.½) of the southwest quarter (S.W.¼), thence running east five (5) chains, thence north nine (9) chains, thence east five (5) chains to said east boundary line, thence south along said boundary line to the place of beginning, subject to recorded highway reservations.

Also:

House File No. 55, a bill for an act to amend section one thousand eighty-seven-a-10 (1087-a-10) of the Supplement to the Code, 1907, as amended by chapter sixty-nine (69) acts of the Thirty-third (33d) General Assembly, and chapters fifty-eight (58) and fifty-nine (59) acts of the Thirty-fourth (34th) General Assembly, relating to nomination papers.

Also:

House File No. 356, a bill for an act to amend section four thousand eight hundred twenty-three (4823) of the Code pertaining to malicious mischief and trespass.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

REPORTS OF COMMITTEES.

Senator Robinson, from the committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your committee on Congressional and Judicial Districts to whom was referred House File No. 391, a bill for an act to amend the law as it appears in section two hundred twenty-seven (227) of the Supplement to the Code, 1907, relative to judicial districts and the number of judges therein and to provide for three judges in the tenth (10th) judicial district, beg leave to report they have had the same under consideration and recommend the same do pass.

T. J. B. ROBINSON,
Chairman.

Ordered passed on file.

Senator Mattes, 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 to amend section twenty-six (26) and forty-three (43) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly, known as the "Military Code of Iowa," beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOS. MATTES,
Chairman.

Senator Mattes moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 201, a bill for an act to provide for the establishment of a state farm for the detention, treatment and employment of defectives and persons convicted of crime, to make provision for the control and management thereof; to provide what persons shall be kept thereon, and to make an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa state college of agriculture and mechanic arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing of hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale, or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151) of the acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) of the acts of the Thirty-fourth General Assembly, beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House File No. 249, a bill for an act making an appropriation to reimburse certain employes of the Iowa school for the deaf for loss of wearing apparel by fire at said school on the 23d day of April, 1911, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 249.

A BILL for an Act Making an Appropriation to Reimburse Certain Employes of the Iowa School for the Deaf for Loss of Wearing Apparel by Fire at Said School on the Twenty-third Day of April, 1911.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of two hundred thirty-five and 80-100 dollars ($235.80) to reimburse certain employes of the Iowa school for the deaf for personal losses sustained by them by reason of a fire at said school on the 23d day of April, 1911, said amount to be paid to the following persons in the sums hereinafter set out, to-wit:

Anna Schneider $127.90

Emma Schneider 107.90

Sec. 2. Said payments are to be in full for all claims against the state for such losses; and when so amended the bill do pass.

JOS. MATTES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 68, a bill for an act creating a commission and to erect a state office building, procuring necessary grounds adjacent to the capitol for the same, and for an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out from lines six (6) and seven (7) of section two (2) the words and figures "fifteen thousand dollars ($15,000)," and inserting in lieu thereof the words and figures "thirty thousand dollars ($30,000)," and

By adding to section five (5) the following: "It is further provided, however, that one hundred fifty thousand dollars ($150,000) of said two hundred fifty thousand dollars ($250,000) shall not be available before July 1, A. D. 1915"; and when so amended the bill do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 289, a bill for an act to amend the law as it appears in section twenty-four hundred seventy-two (2472) of the Supplement to the Code, 1907, and section twenty-four hundred seventy-four (2474) of the Code, and to repeal section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, and chapter one hundred forty-four (144) of the acts of the Thirty-third (33d) General Assembly amendatory to section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, and to enact a substitute therefor, all relating to the bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Senator Balkema, from the committee on Roads and Highways, submitted the following report:

MR. PRESIDENT—Your committee on Roads and Highways, to whom was referred Senate File No. 510, a bill for an act to amend the law as it appears in section one thousand five hundred thirty-two (1532), Supplement to the Code, 1907, as amended by the acts of the Thirty-third General Assembly, relative to the establishment of road districts for state lands and providing for the payment of the cost of maintaining roads therein and the collection of road poll tax within such districts, beg leave to report they have had the same under consideration and recommend the same do pass.

N. BALKEMA,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By committee on Highways, Senate File No. 536, a bill for an act to amend the law as it appears in section thirty-three (33) chapter seventy-two (72), acts of the Thirty-fourth General Assembly, providing for the expenditure of registration fees of motor vehicle.

Read first and second time and referred to committee on Appropriations.

HOUSE MESSAGES CONSIDERED.

Senate File No. 87, a bill for an act amending the law as it appears in section 2578 of the 1907 Supplement to the Code relating to revocation of physicians' certificates and defining unprofessional conduct.

HOUSE AMENDMENTS.

Amend paragraph five (5) and paragraph six (6) by striking out the first two words in said paragraph and inserting in lieu thereof the words, "any advertisement." And by adding the following paragraphs:

"8. Willful neglect of a patient in a critical condition.

9. Accepting any fee for service as a witness in a case at law or equity other than such as is allowed by the court, or that the court is made cognizant of.

10. The demanding of a fee manifestly exorbitant for a surgical operation.

11. The splitting or division, or agreeing to split or divide, any fee or charge paid or to be paid on account of any operation performed or to be performed, upon any patient, with any other person for any service performed or agreed to be performed, or in any consideration of such other person accompanying, bringing or referring to him a patient for any treatment or operation, or on account of such other person assisting him in reference to such treatment or operation without the knowledge and consent of the patient or the person having the patient in charge or the patient's administrator or executor in the event of the patient's death.

12. Knowingly misstating the cause of a death in a death certificate, except where an exact statement would render the physician liable to suit for libel, or subject the decedent or his family to public odium."

Passed on file.

House File No. 377, a bill for an act to prohibit dances in the public high and grade schools or under the auspices of such schools or any organization or society thereof.

Read first and second time and referred to committee on Schools.

House File No. 11, a bill for an act to amend section two hundred fifty-four-a20 (254-a20) of the supplement to the Code, 1907, providing for the maintenance of dependent children whose mothers are widows.

Read first and second time and referred to committee on Judiciary.

House File No. 460, a bill for an act submitting the creation of the County of Larrabee to the legal voters of the county of Kossuth, Iowa.

Read first and second time and referred to committee on Judiciary.

House File No. 519, a bill for an act to amend section one hundred eighty-one (181) of the code relating to joint committee on retrenchment and reform.

Read first and second time and referred to committee on Retrenchment and Reform.

House File No. 59, a bill for an act to repeal section eleven hundred thirty-eight (1138) of the Code, and section ten hundred ninety-three (1093) of the Supplement to the Code, 1907, and to enact substitutes therefor, also to amend sections eleven hundred twenty-four (1124) and eleven hundred thirty-two (1132) of the Code, relating to election boards, and the manner of canvassing the ballots.

Read first and second time and referred to committee on Elections.

House File No. 493, a bill for an act to provide against fraudulent advertising and providing a penalty thereto.

Read first and second time and referred to committee on Commerce and Trade.

House File No. 379, a bill for an act to repeal the law as it appears in section forty-two (42), acts of the Thirty-third General Assembly and to enact a substitute therefor providing for

the selection of an official newspaper in cities and towns, and for the publication of the proceedings of city and town councils and providing compensation therefor.

Read first and second time and referred to committee on Cities and Towns.

House File No. 639, a bill for an act to amend the law as it appears in chapter two (2) as amended by chapter two-a (2-a) of title ten (X) of the supplement to the code, 1907, relative to the disbursement of surplus drainage funds.

Read first and second time and referred to committee on Ways and Means.

House File No. 234, a bill for an act to regulate the business of loaning money or credit by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, real estate brokers and pawnbrokers.

Read first and second time and referred to committee on Judiciary.

House File No. 33, a bill for an act to establish legal weights and measures, to provide for the inspection of the same, to punish the keeping or use of false or incorrect weights and measures, to provide for statements of net weight, placing the enforcement in charge of the dairy and food department and to repeal acts in conflict with this act.

Read first and second time and referred to committee on Food and Dairy.

House File No. 41, a bill for an act to provide for the manufacture and sale of binding twine at the reformatory at Anamosa, to levy a tax therefor and to punish violation of this act and of agreements made under its provisions.

Read first and second time and referred to committee on Penitentiary and Pardons.

House File No. 316, a bill for an act to amend the law relating to the granting of franchises by cities and towns, as it appears in section seven hundred seventy-six (776) of the supplement to the code, 1907, as amended in chapter forty-four (44) of the acts of the Thirty-third General Assembly.

Read first and second time and referred to committee on Cities and Towns.

House File No. 340, a bill for an act to amend the law as it appears in sections ten hundred seventy-two (1072), twenty-seven hundred forty-two (2742) and twelve hundred seventy-two (1272) supplement to the Code, relating to the office of county superintendent of schools, to repeal section twenty-seven hundred thirty-four-b (2734-b), supplement to the code, 1907, relating to the office of county superintendent of schools and to provide for the election, qualifications, duties and compensation of a county superintendent of schools.

Read first and second time and referred to committee on Schools.

HOUSE CONCURRENT RESOLUTION.

CONCURRENT RESOLUTION providing for the publication in pamphlet form of the Road Laws of the State.

Be it Resolved by the House, the Senate Concurring, That the secretary of state be authorized and directed to compile and codify the road laws of the state as soon as possible after the adjournment of the Thirty-fifth General Assembly, and that he publish fifteen thousand (15,000) copies of the same, in pamphlet form, for general distribution.

Passed on file.

Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the board of railroad commissioners to "public utilities commission;" enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the board of railroad commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns cer-

tain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities.

Passed on file.

Senator Arney moved that the Senate do now adjourn until 1:30 o'clock p. m. today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M.

President Harding presiding.

THIRD READING OF BILLS.

On motion of Senator Perkins, Senate File No. 263, a bill for an act to empower private cemetery associations to condemn land for addition to their cemeteries, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Perkins 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 ayes were:

Allen, Arney, Chase, Clarkson, Cowles, Darrah, Farr, Fellows, Gillette, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Balluff, Boe, Crist, Crow, DeWolf, Doran, Dunnegan Francis, Garrett, Hagemann, Heald, Kimball, Mattes, McManus, Ream, Savage, Sheean, White—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

By unanimous consent Senator Perkins withdrew from further consideration by the Senate, Senate File No. 336.

On motion of Senator Farr, House File No. 380, a bill for an act to fix and declare the liability of persons, firms or corporations, entering into contracts with the state of Iowa, or with any county, city, town, city organized under special charter, school corporations or with any municipal corporation now existing or hereafter created and to provide for immunity to witness in proceedings to establish such liability and to fix and declare the measure of damages for violation of this act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Farr moved that the rule be suspended, the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Chase, Clarkson, Darrah, Farr, Fellows, Gillette, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Balluff, Boe, Cowles, Crist, Crow, DeWolf, Doran, Dunnegan, Francis, Garrett, Hagemann, Heald, Kimball, Mattes, McManus, Ream, White—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

INTRODUCTION OF BILLS.

By committee on Judiciary, Senate File No. 537.

A BILL for an Act to Legalize Certain Warrants of the Town of Milford, Iowa.

WHEREAS: At a regular council meeting on the 6th day of November, 1911, the town council of the town of Milford, in the county of Dickinson, and state of Iowa, approved a contract for the erection of a town building and fire station, and called an election and submitted thereat to the voters of said town, to be by them voted upon, the proposition of adopting the aforesaid contract, at which election, held on the 11th day of December, 1911, a majority of the voters of said town voting thereat voted in favor of the adoption of the aforesaid contract, and

WHEREAS: A town building and fire station has been contracted for, and said city in payment therefor has issued its warrants of general indebtedness in the aggregate amount of two thousand ($2,000.00) dollars, under date of the 29th day of March, 1913, numbered consecutively from 916 to 919, both numbers inclusive, and

WHEREAS: Said warrants with all other indebtedness of said town did not, when authorized by the vote aforesaid, exceed the constitutional limitation of indebtedness, and

WHEREAS: Doubts have arisen concerning the legality of the aforesaid warrants or a portion thereof on the ground that the indebtedness of said town was, when said warrants were issued, in excess of the statutory limitations of indebtedness, now therefore

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the acts of the town council of the town of Milford, Iowa, in contracting expenditures for said town, and issuing warrants evidencing the indebtedness of said town in the sum of two thousand ($2,000.00) dollars be and the same are hereby legalized as though in entire conformity with law.

Sec. 2. Aforesaid warrants of said town in the sum of two thousand ($2,000.00) dollars be and the same are hereby legalized and declared valid, legal and subsisting obligations of said town, and evidence of the general indebtedness and liability of said town as though on entire conformity with law.

Sec. 3. Nothing in this act 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 Register and Leader, a newspaper published at Des Moines, Iowa, and the Milford Mail, a newspaper published at Milford, Iowa, without expense to the state.

Read first and second time and placed on calendar.

THIRD READING OF BILLS.

On motion of Senator Chase, Senate File No. 272, a bill for an act to amend section one thousand six hundred fifty-seven-d (1657-d) and section one thousand six hundred fifty-seven-e (1657-e) of the supplement to the code of Iowa, 1907, relative to the election of district directors of the state board of agriculture, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Chase moved that the rule be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Chase, Clarkson, Farr, Fellows, Francis, Gillette, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

Darrah, Savage—2.

Absent or not voting:

Allen, Balkema, Balluff, Boe, Cowles, Crist, Crow, DeWolf, Doran, Dunnegan, Garrett, Hagemann, Heald, Kimball, Mattes, McManus, Ream, Thomas, White—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Malmberg, Senate File No. 64, a bill for an act to amend section 3340 of the code, relative to the examination of the owner of claims against estates, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Malmberg 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 ayes were:

Ames, Arney, Chase, Clarkson, Cowles, Darrah, Farr, Fellows, Francis, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Balluff, Boe, Crist, Crow, DeWolf, Doran, Dunnegan, Garrett, Gillette, Hagemann, Heald, Kimball, Mattes, Ream, White—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Malmberg, Senate File No. 459, a bill for an act to amend section 1423 of the code, relating to tax sales of real estate and giving to counties the right to purchase real estate at tax sales and to own and dispose of same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Malmberg 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 ayes were:

Allen, Ames, Arney, Chase, Clarkson, Cowles, Darrah, Farr, Fellows, Francis, Gillette, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber, Wilson of Appanoose, QWilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Balkema, Balluff, Boe, Crist, Crow, DeWolf, Doran, Dunnegan, Garrett, Hagemann, Heald, Mattes, Perkins, Ream, Thomas, White—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Chase, Senate File No. 169, a bill for an act to change the burden of proof where contributory negligence is relied on as a defense and to provide rules of procedure in such cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Chase offered the following amendment and moved its adoption:

Amend by inserting after the word "and" as it appears in the 3d line of the printed bill the following "in actions by employes."

Adopted.

Senator Chase 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett,

Gillette Hagemann, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton —43.

The nays were:

None.

Absent or not voting:

Balluff, Cowles, DeWolf, Kimball, Ream, Savage, Schrup—7.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Crist, Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the board of railroad commissioners to "public utilities commission;" enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations and the powers and duties of the board of railroad commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities, was taken up, and considered.

Senator Crist moved that the Senate concur in House substitute amendment to Senate File No. 306.

On the question, "Shall the Senate concur in House substitute amendments?"

The ayes were:

Quigley—1.

The nays were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—45.

Absent or not voting:

Garrett, McManus, Ream, Schrup—4.

So the Senate refused to concur in the House substitute amendments.

Senator Crist moved that House substitute amendment to Senate File No. 306 be not printed in the Journal.

Carried.

On motion of Senator Robinson, House File No. 456, a bill for an act authorizing cities and towns including those acting under special charter, and cities under the commission form of government to adopt a building code and to provide for violation thereof, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Robinson moved the adoption of the following amendments:

By inserting after the word "establish" in the fifth line of section 1, the word "reasonable" and by striking from the sixth line of section 1, the word "repair" and the comma (,) after said word.

Adopted.

The bill was read for information.

Senator Robinson moved that the rules be suspended, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Cowles, Crist, Crow, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

Clarkson, Darrah, Farr, Jones, McManus, Ream, Savage, White—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Balkema, Senate File No. 333, a bill for an act providing for the license of certain classes of temporary or transient merchants doing business in cities or incorporated towns, defining the same and the manner of issuing licenses, regulating the advertising and representation of such merchants and providing for penalties for the violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema offered the following amendment and moved its adoption:

Amend the bill by striking out the catch-words at the beginning of each section of the bill.

Adopted.

Senator Spaulding moved that further consideration of the bill be postponed until 10 o'clock tomorrow and the bill made a special order for that time.

Motion lost.

Senator Quigley moved that the bill be laid on the table.

Motion lost.

Senator Sullivan moved the previous question.

Carried.

Senator Balkema 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 ayes were:

Ames, Arney, Balkema, Balluff, Chase, Clarkson, Darrah, DeWolf, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Mcmanus, Neal, Nye, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Thomas, Webber, Wilson of Clinton—33.

The nays were:

Allen, Boe, Crow, Doran, Dunnegan, Garrett, Jewell, Perkins, Spaulding, White, Wilson of Appanoose—11.

Absent or not voting:

Cowles, Crist, Jones, Quigley, Ream, Taylor—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Perkins, Senate File No. 303, a bill for an act to discharge a bankrupt from judgment and providing for giving notice thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Perkins 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 ayes were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jewell, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose—39.

The nays were:

None.

Absent or not voting:

Arney, Cowles, Crist, DeWolf, Garrett, Jones, Reams, Schrup, Taylor, White, Wilson of Clinton—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Heald, Senate File No. 57, a bill for an act to authorize the location, use and construction of lines for the transmission of electric current or energy and the erection of poles, wires, insulators, towers and other necessary construction therefor and the procuring of and making compensation for the right of way for said transmission lines, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Heald moved that the substitute for the original bill be adopted.

Senator Francis offered the following amendment and moved its adoption.

I move to amend section 4 in line 4 by adding after the word "commission" the following, "not exceeding 25 feet in width."

Adopted.

Senator Heald 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Perkins, Ream, Robinson, Savage, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Balluff, Chase, Cowles, Garrett, Jewell, Neal, Nye, Quigley, Schrup, Smith, Taylor—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Thomas, Senate File No. 531, a bill for an act to provide for the registration of highway routes, together with the names, color combinations and designs used in marking the same; prohibiting the duplications thereof; and providing penalties for the violation of this act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Thomas 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Mattes, McColl, Neal, Nye, Perkins,

Quigley, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Balluff, Chase, Cowles, Crist, DeWolf, Garrett, Gillette, Jewell, Kimball, Malmberg, McManus, Ream, Spaulding—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Robinson, Senate File No. 455, a bill for an act to amend section five (5) chapter sixty-nine (69), of the acts of the Thirty-third General Assembly, relating to the publication of primary ballot, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Robinson moved that the rules be suspended, the bill be considered engrossed ,the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crist, Crow, Darrah, Doran, Fellows, Garrett, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Chase, Cowles, DeWolf, Dunnegan, Farr, Francis, Gillette, Hagemann, Heald, Jewell, Larrabee, McManus, Quigley, Ream, Spaulding—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

INTRODUCTION OF BILLS.

By committee on Appropriations, Senate File No. 538, a bill for an act to provide for the levy of a special tax upon the assessed valuation of the taxable property of the state for a period of ten years for the purchase of real estate for the extension and for the improvement of the state capitol grounds; to define the limits of said extension; to authorize the purchase by executive council of all grounds within said limits; to adopt a plan for the location of buildings, monuments, etc., on said extended ground, and to provide for the sale of certain real estate known as "governor square."

Read first and second time and placed on Calendar.

By committee on Suppression of Intemperance, Senate File No. 539, a bill for an act to amend section twenty-four hundred forty-eight, paragraph nine (2448-9) of the supplement to the code, 1907, regulating the hours of the day during which liquor may be sold in saloons:

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section twenty-four hundred forty-eight, paragraph nine (2448-9) of the Supplement to the Code, 1907, be and the same is hereby amended by striking out in line two of said paragraph, the words, "five A. M. nor later than ten P. M." and inserting in lieu thereof the words "seven A. M. nor later than nine P. M."

Read first and second times and placed on the Calendar.

Senator Francis moved that the bill be made a special order for 10:30 tomorrow.

Carried.

By committee on Judiciary, Senate File No. 540.

A BILL for an Act to Legalize a Special Election of the City of Cedar Falls, Iowa, Held March 10th, 1913, for the Acquiring of a Municipal Electric Light and Power Plant, and Voting Bonds Therefor, and the Resolutions and Acts of the City Council Relating to Such Electric Light and Power Plant.

Whereas: There was presented to and filed by the clerk of the city of Cedar Falls, Iowa, a petition signed by more than a majority of the qualified electors of said city, asking the city council to call a special election for the purpose of voting on the propositions of constructing an electric light and power plant, and bonding the city for said electric light and power plant, and stating that the electric light and power plant could not be erected, built or furnished within the limit of one and one quarter per centum of the valuation; said petition being filed at 11:50 A. M., January 28, 1913, and

Whereas: At a regular meeting of the city council of said city of Cedar Falls, Iowa, held in the evening of January 28, 1913, said petition so filed as aforesaid was presented to said city council, and was referred to the light committee, which committee reported that 791 of the qualified electors had signed said petition, that being a large number more than a majority of the qualified electors of said city, and

Whereas: Said city council of said city by resolution duly adopted at said regular meeting on January 28, 1913, called a special election for the pupose of submitting to the qualified electors of said city the questions as to whether or not the city of Cedar Falls, Iowa, should issue bonds in the sum of $50,000.00 for an electric light and power plant, and as to whether or not such city should purchase, construct, erect, maintain and operate an electric light and power plant, and

Whereas: The city council did, by said resolution adopted as aforesaid on said January 28, 1913, direct that notice as such special election be given, and fixing the 24th day February, 1913, as the time for holding said election at the usual voting places in said city, and directing the Mayor to give legal notice of same, and

Whereas: Thereafter, and on February 4, 1913, at a special meeting or said city council called by the Mayor to consider matters pertaining to electric light and special election, the resolution adopted on January 28, 1913, calling such special election was reconsidered and amended and adopted fixing the time of such special election on March 10, 1913, and directing the Mayor to give legal notice of same, and notice of such election was duly published once each week in the Daily Record and the Cedar Falls Gazette, newspapers published in said city, for four consecutive weeks, the first publication being February 6, 1913, and the fourth, February 27, 1913, said notice advising the electors that two propositions would be submitted at said election, to-wit:—

First: The issuance of bonds in the sum of $50,000.00 for an electric light and power plant.

Second: The purchase, establishment, maintainance and operation of a municipal electric light and power plant, and

Whereas: At the said special election held on the 10th day of March, 1913, the following propositions were placed upon the ballot:—

(1). For the issuance of bonds in the sum of $50,000.00 for an electric light and power plant. ( )

Against the issuance of bonds in the sum of $50,000.00 for an electric light and power plant. ( )

(2). Shall the city of Cedar Falls, Iowa, purchase, establish, erect and maintain and cperate within the limits of said city a municipal electric light and power plant?

YES ( )

NO ( )

and

Whereas: The city council of said city did on March 11, 1913, canvass the returns of said speclai election and find that the proposition: "Shall the city of Cedar Falls, Iowa, purchase, establish, erect and maintain and operate within the limits of said city a municipal electric light and power plant", was carried by a majority of all the votes cast, and did further find that the proposition "For the issuance of bonds in the sum of $50,000.00 for an electric light and power plant" was carried by a two thirds vote of all the votes cast, and

Whereas: Said petition as presented to the city council of said city did not specifically submit to the council the question of the purchase of an electric light and power plant, but for the construction, erection and equipment of an electric light and power plant, and did not specifically submit the question of issuing bonds for the purchase of an electric light and power plant, but to be used in the construction, erection, furnishing and equipment of said municipal electric light and power plant; nor did said petition specifically state that said electric light and power plant could not be purchased within the limit of one and one quarter per centum of the valuation, but that the same could not be constructed, erected, built and furnished within the limit of one and one quarter per centum of the valuation, and

Whereas: The notice of election, as a part thereof, specified the days upon which voters might register, and omitted one of the days, to-wit: Saturday, March 8th, but the registry boards were in session on said day

to receive registrations at the usual registry places and did register voters, and the statute expressly provided that no notice of registration need be given of a special election, and

Whereas: The question to be submitted as contained in said resolution ordering such special election, and as submitted on the ballot included the right to purchase, as well as construct, erect, maintain and operate an electric light and power plant, and to issue bonds in the sum of $50,000.00 for an electric light and power plant, and

Whereas: Doubts have arisen as to the legality and sufficiency of said petition for the reason that said petition did not contain a request to the council to purchase, as well as construct, erect, and equip an electric light and power plant, and did not contain a request that the money derived from the sale of bonds be used to purchase as well as construct, erect, furnish and equip a municipal electric light and power plant; doubts have arisen as to the legality of the call of such special election at a special meeting of the council; doubts have arisen as to the power of the city council to call such special election at the regular meeting of the council on January 28th, 1913; and doubts have arisen as to the legality of a re-consideration of the resolution ordering said special election at such special meeting on February 4th, 1913; doubts have arisen as to the legality and sufficiency of the notice of said election; and of the acts and doings of said city council in connection with said special election: Therefore

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the proceedings of the city council of the city of Cedar Falls, Iowa, concerning and providing for the submission to the qualified electors of said city of the proposition for the acquiring of a municipal electric light and power plant, and for issuing bonds for such purpose and construction work, the petition submitted to the city council therefor, the notice of such submission and the time of such notice; the form of the ballot submitted at said election and all acts and proceedings of said city council prior or subsequent to said special election, whether herein particularly specified or not, had and done with reference to said proposition of acquiring an electric light and power plant and issuing bonds therefor, and construction work thereof, and each of them, be and are hereby legalized and validated as fully and completely as though the law had in all things been technically and fully complied with in every respect, and the resolutions and acts passed in aid thereof are hereby legalized and validated, and said bonds, whether issued or to be issued, shall be the valid and binding obligation of said city of Cedar Falls, Iowa. This act shall in no wise effect pending litigation.

Sec. 2. In effect. This act being deemed of immediate importance shall take effect from and after its publication in the Daily Record, newspaper published in Cedar Falls, Iowa, and the Register and Leader a newspaper published in Des Moines, Iowa, without expense to the State.

Read first and second time and placed on the Calendar.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate File No. 226, a bill for an act to repeal the law as it appears in sections twenty-six hundred ninety-one (2691) and twenty-six hundred ninety-two (2692) of the Supplement to the Code, 1907, and to enact a substitute therefor to provide for the support of the Iowa Soldiers' Orphans' Home.

Also:

Senate File No. 245, a bill for an act to amend section eight hundred twenty (820) of the Code, fixing time in which the city council or board of public works, where such board exists, shall ascertain the cost and prepare the assessment, plat and schedule relative to the special assessment of property for the making or reconstruction of street improvements.

Also:

Senate File No. 397, a bill for an act to make section eight hundred seven (807) of the Code applicable to cities acting under special charter.

Also:

Senate File No. 439, a bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employees with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the Supplement to the Code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund. And to repeal all acts and parts of acts in conflict with this act.

Also:

Senate File No. 316, a bill for an act to legalize the adoption of certain propositions at an election of the county of Wapello, state of Iowa, with the effect of authorizing the board of supervisors of said county to purchase land for an addition to the county home farm of said county,

and to incur indebtedness for the purchase of such land, and to levy a continuing annual tax to provide for the payment of such indebtedness.

Also:

Substitute for Senate File No. 178, a bill for an act to repeal the law as it appears in section seven hundred eleven (711) of the Code and to enact a substitute therefor, relating to the powers of cities and towns to enact ordinances for protection against fires, accidents from electrical apparatus, to establish fire limits, to prohibit within such limits the erection of buildings and structures of certain construction and providing for the cost of removal or taking down of buildings erected in violation of such ordinances.

JOHN H. TAYLOR,
Chairman.

Adopted.

Senator Heald from the conference committee on Senate File No. 44 submitted the following report:

To the Senate and House of Representatives of the Thirty-fifth General Assembly:

The undersigned Conference committee on Senate File No. 44, a bill for an act to fix the compensation of the wardens and of certain officers and employes of the reformatory at Anamosa and the state penitentiary at Fort Madison, and to enlarge the support fund of said institutions; repealing sections five thousand seven hundred and seventeen (5717) and five thousand seven hundred and eighteen (5718) of chapter two (2), title twenty-six (XXVI) of the Code and the law as found in sections five thousand seven hundred and sixteen (5716) and five thousand seven hundred and eighteen-a-twenty-eight (5718-a-28) chapter two (2), title twenty-six (XXVI) of the Supplement to the Code, 1907, report they have had the same under consideration and recommend that the House substitute be amended as follows:

By inserting the word "but" before the word "turnkeys" in the twenty-first line of section one (1); also by inserting the words "shall be paid" after the word "class" in the twenty-first line of section one (1); and that when so amended, the House substitute do pass.

WM. LARRABEE, JR.,
WALTER NEWCOMB,
D. C. STEELSMITH,
W. J. DIXON,
Members of the House Conference Committee.

F. W. HEALD,
E. P. MCMANUS,
D. C. CHASE,
W. D. SHEEAN,
Members of the Senate Conference Committee.

Ordered passed on file.

Senator Ames filed the following motion:

I move that the vote by which House Joint Resolution No. 4 was indefinitely postponed be reconsidered.

A. L. AMES.

Senator Neal filed the following motion:

I move to reconsider the vote by which the report of the committee was adopted, and Senate File No. 182 was indefinitely postponed.

S. A. NEAL.

Senator Thomas filed the following motion:

I move to reconsider the vote by which House File No. 380 passed the Senate.

C. H. THOMAS.

Senator Savage 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, APRIL 3, 1913.

Senate met in regular session at 9 o'clock a. m., President Harding presiding.

Prayer was offered by Rev. O. B. Chassell, Walker, Iowa.

PETITIONS AND MEMORIALS.

Senator Ames presented numerous blank petitions from citizens throughout the state of Iowa.

Referred to committee on Retrenchment and Reform.

Senator Nye presented a petition of citizens of Prescott, favoring passage of House File No. 493.

Referred to committee on Commerce and Trade.

Senator Robinson presented a remonstrance of citizens of Hancock county protesting against a tax commission.

Referred to committee on Ways and Means.

Senator White persented a remonstrance of citizens of Iowa county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Ream presented a remonstrance of citizens of Mahaska county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Thomas presented a petition of citizens of Beaconsfield favoring passage of House File No. 484.

Referred to committee on Railroads.

Senator Francis presented a remonstrance of citizens of Dickinson county opposing a permanent tax commission.

Referred to committee on Ways and Means.

REPORTS OF COMMITTEES.

Senator Larrabee, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads to whom was referred House File No. 424, a bill for an act to amend section two thousand seventeen (2017) of the Code, relating to the right of railroad companies to raise or lower highways where they are crossed by railroads, and giving the board of railroad commissioners authority to order undergrade or overhead crossings; beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend section one, by adding after the word "by" and before the word "the" in line eleven (11), the words "any citizen of or"; and when so amended the bill do pass.

FREDERIC LARRABEE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Railroads to whom was referred House File No. 303, a bill for an act to require all persons, partnerships, companies or corporations owning or operating a railway in this state, to equip the cab of all locomotive engines with frost glass in front of the seat of the engineer and fireman of said engine, and providing a penalty for the violation thereof; beg leave to report they have had the same under consideration and recommend the same do pass.

FREDERIC LARRABEE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Railroads to whom was referred Senate File No. 269, a bill for an act to regulate the hours of engineers and firemen operating stationary boilers and engines; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

FREDERIC LARRABEE,
Chairman.

Senator Larrabee moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Railroads to whom was referred Senate File No. 496, a bill for an act to require railroad companies to fence and place signs along their yard limits and to provide penalties and forfeitures for failure so to do; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

FREDERIC LARRABEE,
Chairman.

Senator Larrabee moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Railroads to whom was referred Senate File No. 474, a bill for an act to amend the law as it appears in an act passed by the Thirty-fifth (35th) General Assembly and approved on the 20th day of March, A. D. 1913, and entitled "A bill for an act additional to chapter five (5) title ten (10) of the Code to require locomotives to be equiped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same."; beg leave to report they have had the same under consideration and recommend the same do pass.

FREDERIC LARRABEE,
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. 411, a bill for an act to amend section 3505 of the Code, as amended by the acts of the Thirty-third General Assembly in relation to change of place of trial when a county is a party.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 regulate the sale of calcium carbide or so-called carbide and prescribe the manner in which the same shall be packed and labeled.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 47, a bill for an act to authorize the incorporation in each county of the state of an association for the advancement of agriculture, to define the powers and rights of such association and its members, to provide for the submission to the voters of the question of levying a tax in aid of the objects of such association and to provide for the termination of said tax.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 694-a of the Supplement to the Code, 1907, relating to membership fees and dues in League of Iowa Municipalities.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 300, a bill for an act to amend the law as it appears in section 4799-a of the Supplement to the Code, 1907, relating to burglary with explosives.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 260, a bill for an act to amend section 2085 of the Supplement to the Code, 1907, relating to taxes in aid of railroads and in relation to the number of signatures of resident freeholders to petitions therefor in cities acting under special charter and cities having a population of 25,000 or more.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and failed to pass the following bill in which the concurrence of the House was asked:

Senate File No. 237, a bill for an act relating to fire insurance and prohibiting discrimination therein and rebate of the premium charged and providing a penalty therefor.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Schrup, Senate File No. 27, a bill for an act to require all railroad companies owning railroads in the state of Iowa, of less than four (4) feet, eight and one-half (8 1-2) inches gauge, to adopt such gauge within such reasonable time as may be fixed by the railroad commissioners, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Schrup moved the substitute for the original bill be adopted.

Adopted.

Senator Schrup offered the following amendment and moved its adoption:

"Amend by striking out all after the word "and" in the fourth (4) line, to and including the word "same" in the fifth (5) line of section one (1), as printed on page one thousand three hundred thirty-one (1331) of the Senate Journal."

Adopted.

Senator Schrup offered the following amendment and moved its adoption:

"Amend by striking out all that part of section one (1), following the word "width" in the line preceding the last four (4) lines of said section, as it appears on page one thousand three hundred thirty-one (1331) of the Senate Journal."

Adopted.

Senator Schrup 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 ayes were:

Ames, Balkema, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Ream, Robinson, Savage, Schrup, Smith, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—28.

The nays were:

None.

Absent or not voting:

Allen, Arney, Balluff, Boe, Chase, Clarkson, Cowles, Crist, DeWolf, Francis, Hagemann, Hilsinger, Jewell, Jones, Kimball, McColl, McManus, Perkins, Quigley, Sheean, Spaulding, Sullivan—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Allen, Senate File No. 369, a bill for an act fixing the standard of qualifications of all persons desiring to practice mechanical therapy and for the regulation thereof; to create a state board of mechanical therapeutic examiners, and to provide for the registration of those entitled to practice mechanical therapy, and providing penalties for the violation of any of the provisions thereof, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Chase was called to the chair at 9:35.

President Harding resumed the chair at 10 A. M.

Senator Allen moved the adoption of the following amendment proposed by the committee:

By striking out section 1 as the same now stands in the bill and inserting in lieu thereof the following:

"That within thirty (30) days of the taking effect of this act the governor shall appoint three residents of the state who are reputable, mechanical theropeutists, no two of whom shall be members of the same school of practice, who shall have passed the examination now required for licensing to practice osteopathy at the time of his appointment and who thus appointed and duly qualified shall constitute a board of mechanical therepeutic examiners. The governor and attorney general of the state shall be members ex officio of the board and shall have a vote on all rules and regulations of the board. No one of this board shall be a member of the faculty of any school of mechanical therapy, but each member shall have been in active practice for a period of three years, which practice shall have been within the state. The terms of office of each member of the board shall be three years, excepting the term of those constituting the board first named by the governor shall be for one, two and three years respectively. The term is to be designated by the governor upon his making each appointment. Thereafter and during each succeeding year the governor shall appoint a member of said board

for the full trem of three years, and any vacancy occurring from any other cause than the expiration of the term shall be filled by the governor for the unexpired term, Any member of the board may administer oaths and take testimony in any manner authorized by law".

Adopted.

Senator Larrabee offered the following amendment and moved its adoption:

Amend section 11, line 6, by striking out the figure "$10.00" and insert in lieu thereof the figure "$5.00".

Adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend section 14 by inserting after the word "person" in the first line the following words, "not now engaged in practice."

Adopted.

Further consideration postponed.

The president announced that as president of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 226, 245, 397, 439, 316 and 178, also House Files Nos. 31 and 105.

THIRD READING OF BILLS.

Time having arrived for special order, Senate File No. 539, a bill for an act to amend section twenty-four hundred forty-eight, paragraph nine (2448-9) of the supplement to the code, 1907, regulating the hours of the day during which liquor may be sold in saloons, was taken up, and considered.

Senator Boe offered the following amendment and moved its adoption:

I move that 9 P. M., be stricken from the bill and 8 P. M., be inserted in lieu thereof.

On the adoption of the amendment, a roll call was demanded.

The ayes were:

Allen, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Fellows, Jewell, Larrabee, McColl, Neal, Nye, Perkins, Robinson, Spaulding, Taylor, Thomas—21.

The nays were:

Ames, Balluff, Cowles, Crow, DeWolf, Farr, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, McManus, Quigley, Ream, Savage, Schrup, Sheean, Smith, Sullivan, Webber, White, Wilson of Appanose, Wilson of Clinton—29.

Absent or not voting:

None.

So the amendment was lost.

Senator Mattes 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis Garrett, Gillette, Hagemann, Heald, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—39.

The nays were:

Balluff, Cowles, Darrah, Hilsinger, McManus, Quigley, Schrup, Sheean, Webber, White, Wilson of Clinton—11.

Absent or not voting:

None.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senate resumed consideration of Senate File No. 369, a bill for an act fixing the standard of qualifications of all persons desiring to practice mechanical therapy and for the regulation thereof; to create a state board of mechanical therapeutic examiners, and to provide for the registration of those entitled to practice mechanical therapy, and providing penalties for violation of any of the provisions thereof.

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 ayes were:

Allen, Arney, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Garrett, Gillette, Heald, Larrabee, Legel, Mattes, McColl, McManus, Nye, Quigley, Ream, Robinson, Sheean, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—27.

The nays were:

Balkema, Cowles, Crist, DeWolf, Fellows, Francis, Hagemann, Hilsinger, Jewell, Kimball, Malmberg, Neal, Perkins, Schrup, Smith, Webber, White, Wilson of Clinton—18.

Absent or not voting:

Balluff, Farr, Jones, Savage—4.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Perkins moved that the Senate do now adjourn until 9 A. M., tomorrow.

Senator White moved to amend and make time of adjournment to 1 P. M., today.

Carried.

Motion as amended prevailed.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:00 o'clock P. M. President Harding presiding.

Senator Allen moved to reconsider the vote by which Senate File No. 369 passed the Senate and to lay the motion to reconsider on the table.

Senator Smith moved that further consideration of the motion to reconsider be postponed until 10:30 to-morrow.

Senator Mattes demanded a roll call to ascertain a quorum.

Roll call showed the following Senators present:

Allen, Ames, Balkema, Balluff, Boe, Crist, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Legel, Mattes, Neal, Nye Perkins Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—34.

On the motion to postpone until 10:30 to-morrow a roll call was demanded.

Those favoring the motion were:

Balkema, Balluff, Cowles, Crist, Darrah, DeWolf, Dunnegan, Fellows, Francis, Hagemann, Heald, Hilsinger, Jewell, Mattes, McColl, Robinson, Schrup, Smith, Webber, White, Wilson of Appanoose—21.

The nays were:

Ames, Boe, Chase, Clarkson, Doran, Garrett, Gillette, Larrabee, Legel, Neal, Perkins, Ream, Sheean, Spaulding, Sullivan, Taylor —16.

Absent or not voting:

Allen, Arney, Crow, Farr, Jones, Kimball, Malmberg, McManus, Nye, Quigley, Savage, Thomas, Wilson of Clinton—13.

So the motion prevailed.

THIRD READING OF BILLS.

On motion of Senator Neal, Senate File No. 229, a bill for an act to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organizations and in the navy from Iowa during the civil war at a home coming during that state G. A. R. encampment at Des Moines, Iowa, was taken up and considered.

The motion filed by Senator Allen to reconsider the vote by which the amendment cutting appropriation from $3,000 to $1,500 was adopted, was lost.

Senator Neal 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 ayes were:

Allen, Ames, Arney, Balluff, Boe, Chase, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellow, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Appanoose—41.

The nays were:

None.

Absent or not voting:

Balkema, Clarkson, Farr, Francis, McManus, Quigley, Savage, Thomas, Wilson of Clinton—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Webber introduced the following motion and moved its adoption.

I move that an evening session beginning at 7:30 be held on Wednesday, April 9, 1913, for the submission and adoption of resolutions of respect to the memory of former members of the Senate who have recently died.

Adopted.

On motion of Senator Robinson House Joint Resolution No. 3, proposing an amendment to the constitution of the state of Iowa, repealing section 7 of article 2 of said constitution and proposing a substitute therefor, relating to and providing for the time of holding elections, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted

Senator Robinson moved that the rule be suspended, the joint resolution read a third time now, which motion prevailed, and the joint resolution was read a third time.

HOUSE JOINT RESOLUTION.

JOINT RESOLUTION Proposing an Amendment to the Constitution of the State of Iowa, Repealing Section Seven (7) of Article Two (2) of Said Constitution and Proposing a Substitute Therefor, Relating to and Providing for the Time of Holding General Elections.

Be it Resolved by the General Assembly of the State of Iowa:

Section 1. That the following amendment to the constitution of the state of Iowa be and the same is hereby proposed:

To repeal section seven (7) of article two (2) of the constitution of Iowa and to adopt in lieu thereof the following, t-wit:

"The general election for state, district, county and township officers in the year 1916, shall be held in the same month and on the same day as that fixed by the laws of the United States for the election of presidential electors, or of president and vice-president of the United States; and thereafter such election shall be held at such time as the general assembly may by law provide."

Sec. 2. That the foregoing amendment to the constitution of the state of Iowa be, and the same is hereby referred to the legislature to be chosen at the next general election for members of the General Assembly, and that the secretary of state cause the same to be published as provided by law.

On the question, "Shall the joint resolution pass?"

The ayes were:

Allen, Balkema, Boe, Clarkson, Crist, Crow, Darrah, Doran, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Ream, Robinson, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose—34.

The nays were:

Quigley—1.

Absent or not voting:

Ames, Arney, Balluff, Chase, Cowles, DeWolf, Dunnegan, Francis, Hagemann, Jewell, Savage, Schrup, Smith, White, Wilson of Clinton—15.

So the joint resolution having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

By unanimous consent Senator Robinson withdrew from further consideration by the Senate Senate Joint Resolution No. 5.

On motion of Senator Clarkson, House File No. 5, a bill for an act providing for the non-partisan nomination and election of judges of the supreme, district and superior courts of Iowa, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Clarkson moved that the substitute for the original bill be adopted.

Adopted.

Senator Clarkson 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 ayes were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—44.

The nays were:

None.

Absent or not voting:

Arney, Cowles, Farr, Perkins, Savage, Taylor—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Boe moved that the Senate request the recall from the House of the concurrent resolution introduced by him yesterday, relative to the apointment of a commission to visit the countries of Denmark, Norway, Sweden, England, Germany and France, to study agricultural conditions.

Carried.

On motion of Senator Jones, House File No. 439, a bill for an act to authorize the appointment of special agents to aid in the detection, identification, capture and conviction of criminals, delinquents and defectives, and to require the co-operation and assistance of all sheriffs, police and peace oficers and all other officers charged with the care, supervision and jurisdiction over criminals, delinquents or defectives, with report of committee recommending indefinite postponement, was taken up and considered.

On the motion to adopt the report of the committee a roll call was demanded.

Those favoring the adoption of the report of the committee were:

Balluff, Chase, Cowles, Crow, DeWolf, Dunnegan, Farr, Fellows, Garrett, Gillett, Hagemann, Hilsinger, Jewell, Legel, Malmberg, McManus, Perkins, Quigley, Ream, Savage, Schrup, Sheean, Smith, Webber, White, Wilson of Appanoose, Wilson of Clinton —27.

The nays were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crist, Darrah, Doran, Francis, Heald, Jones, Kimball, Larrabee, Mattes, Neal, Nye, Robinson, Spaulding, Sullivan, Taylor, Thomas—22.

Absent or not voting:

McColl—1.

So the bill was indefinitely postponed.

On motion of Senator Malmberg House File No. 192, a bill for an act to amend the law as it appears in paragraph 3 of section 3447 of the Code, relating to the time of bringing action to set aside a will, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Malmberg offered the following amendment and moved its adoption.

I move to amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section three thousand four hundred forty-seven (3447) of the Code is hereby amended by adding to paragraph three of said section the following:

"Provided that after a will is probated the executor may cause personal service of an original notice to be made on any person interested, which shall contain the name of decedent, the date of his death, the court in which and the date on which the will was probated, together with a copy of said will; said notice shall be served in the same manner as orignal notices and no action shall be instituted by any person so served after one year from date of service."

Adopted.

Senator Malmberg 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 ayes were:

Allen, Arney, Balkema, Balluff, Chase, Clarkson, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Smith, Spaulding, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Ames, Boe, Cowles, Crist, Hagemann, Larrabee, McColl, Ream, Savage, Sullivan, Webber—11.

Senator Malmberg offered the following amendment to the title and moved its adoption:

I move to amend the title by substituting therefor the following:

"A bill for an act to amend the law as it appears in section three thousand four hundred forty-seven (3447) of the code, relating to the limitation of actions to set aside wills."

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended was agreed to.

By unanimous consent, Senator Malmberg withdrew from further consideration by the Senate, Senate File No. 366.

On motion of Senator Thomas, House File No. 424, a bill for an act to amend section two thousand seventeen (2017) of the code, relating to the right of railroad companies to raise or lower highways where they are crossed by railroads, and giving the board of railroad commissioners authority to order undergrade or overhead crossings, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Thomas offered the following amendment and moved its adoption:

"Amend section one (1) by adding the word "by" and before the word "the" in line eleven (11), the words, "any citizen of or".

Adopted.

Senator Thomas 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

Chase, Gillette, Hagemann, Kimball, McColl, McManus, Quigley, Ream—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

By unanimous consent, Senator Thomas withdrew from further consideration by the Senate, Senate File No. 262.

On motion of Senator Darrah, Senate File No. 368, a bill for an act to require the registration of charitable organizations soliciting public aid and providing penalty for the violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Further consideration postponed.

On motion of Senator Sheean, Senate File No. 44, a bill for an act to fix the compensation of the wardens and of certain officers and employes of the reformatory at Anamosa and the state penitentiary at Fort Madison, and to enlarge the support fund of said institutions; repealing sections five thousand seven hundred and seventeen (5717) and five thousand seven hundred and eighteen (5718) of chapter two (2), title twenty-six (XXVI) of the code and the law as found in sections five thousand seven hundred and sixteen (5716) and five thousand seven hundred and eighteen-a-twenty-eight (5718-a-28), chapter two (2), title twenty-six (XXVI) of the supplement to the code, 1907, was taken up, and considered.

Senator Sheean moved the report of Conference committee be adopted.

Adopted.

Senator Sheean moved that the Senate adopt and concur in the following amendment recommended by the Conference committee:

That the House substitute be amended as follows:

By inserting the word "but" before the word "turnkeys" in the twenty-first line of section one (1); also by inserting the words "shall be paid" after the word "class" in the twenty-first line of section one (1).

On the question, "Shall the Senate adopt and concur in the amendments recommended by the Conference committee?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows Garrett, Gillette, Heald, Hilsinger, Jewell, Kimball, Larrabee, Legel, Mattes, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber White, Wilson of Appanoose, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

Francis, Hagemann, Jones, Malmberg, McColl, McManus, Neal, Smith—8.

So the amendments having received a constitutional majority were declared concurred in.

On motion of Senator Thomas, Senate File No. 216, a bill for an act to prohibit the use of a common drinking cup in public and private schools, state educational institutions, halls used for the purpose of meetings or entertainments, hotels, lodging houses, theaters, factories, or public or municipal buildings, in railroad trains and stations, and in other public places in the state

of Iowa, and providing penalties for the violation of the same, 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 Perkins, Senate File No. 162, a bill for an act providing for the paroling of patients in the state hospital for inebriates and certain female patients from state hospitals for the insane, and for the return of patients who violate their paroles, and repealing the law as it appears in section twenty-three hundred ten-a-nineteen (2310-a-19) of the supplement to the code, 1907, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Perkins 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Cowles, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Ames, Chase, Clarkson, Crow, DeWolf, Gillette, Hagemann, McColl, Schrup, Smith—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Taylor, Senate File No. 284, a bill for an act to amend the law as it appears in sections 2727-a-58, 2727-a-59, 2727-a-60, 2727-a-62, and to repeal section 2727-a-63 of the supplement to the code, 1907, and to enact a substitute therefor;

all relating to the powers of the board of control, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Taylor 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Crist, Crow, Darrah, Doran, Dunnegan, Francis, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Clarkson, Cowles, DeWolf, Farr, Fellows, Gillette, Hagemann, McColl,, McManus—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Balkema, Senate File No. 479, a bill for an act authorizing the board of supervisors to make changes in highways, providing the procedure for such changes and manner of paying therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Crist, Crow, Doran, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Smith, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Clarkson, Cowles, Darrah, DeWolf, Dunnegan, Farr, Hagemann, Kimball, McManus, Neal, Schrup, Spaulding, White—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Balkema, Senate File No. 480, a bill for an act to amend sections three (3) and eight (8) of chapter twenty-four (XXIV) of the acts of the Thirty-fourth General Assembly relating to township and county levies for road purposes, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema moved the adoption of the following amendment:

By striking out section one (1) and renumbering it, making section two (2) section one (1).

Adopted.

Senator Balkema 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Dunnegan, Farr, Fellows, Francis, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

Doran, Gillette—2.

Absent or not voting:

Balluff, Chase, Hagemann, McColl, McManus, Smith, White—7.

Senator Balkema offered the following amendment to the title and moved its adoption:

Amend title of the bill by striking out the words "and eight" and the figure "(8)" in the first line thereof.

Adopted.

So the bill having received a constitutional majority was declared to have passed the eSenate and its title as amended was agreed to.

Senator Jones called up for consideration the following concurrent resolution.

HOUSE CONCURRENT RESOLUTION.

CONCURRENT RESOLUTION Providing for the Publication in Pamphlet Form of the Road Laws of the State.

Be it Resolved, by the House, the Senate Concurring, That the secretary of state be authorized and directed to compile and codify the road laws of the state as soon as possible after the adjournment of the Thirty-fifth General Assembly, and that he publish fifteen thousand (15,000) copies of the same, in pamphlet form, for general distribution.

Senator Jones moved that the Senate concur in the House concurrent resolution.

Motion carried.

On motion of Senator Francis, Senate File No. 295, a bill for an act to amend the law as it appears in section 9, chapter 153, acts of the Thirty-third General Assembly, relating to protection of fish and game, and to amend the law as it appears in chapter 116 of the acts of the Thirty-fourth General Assembly, relating to compensation of fish and game warden, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Francis moved the adoption of the following amendment:

By striking out the words and figures "three thousand dollars ($3,000.00)" in the last line, and inserting in lieu thereof, the words and figures "twenty four hundred dollars ($2,400.00.)"

Adopted.

Senator Webber offered the following amendment and moved its adoption:

I move to amend the bill by striking out the words "twenty-four hundred" and inserting in its place the words "two thousand" in the last line of section 2.

Lost.

Senator Francis 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crist, Crow, Darrah, DeWolf, Fellows, Francis, Gillette, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, Perkins, Quigley, Ream, Savage, Schrup, Sheean, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

Doran, Garrett, Jewell, Larrabee, Nye, Webber—6.

Absent or not voting:

Balluff, Chase, Cowles, Dunnegan, Farr, Hagemann, McColl, McManus, Neal, Robinson, Smith, Spaulding, Taylor—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Quigley, Senate File No. 495, a bill for an act to amend section 2561, Supplement to the Code, 1907, for the protection of birds, and providing for enforcement, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Quigley 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 ayes were:

Allen, Ames, Balkema, Boe, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, McManus, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Arney, Balluff, Chase, Clarkson, Cowles, Hagemann, Larrabee, McColl, Neal, Perkins, Webber—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Quigley House File No. 653, a bill for an act to repeal section three (3) of chapter one hundred eighteen (118) of the acts of the Thirty-fourth General Asembly, providing for the distraint of deer, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Quigley 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Dunnegan, Farr, Fellows, Francis, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

Doran—1.

Absent or not voting:

Balluff, Darrah, Garrett, Hagemann, McCall, Neal, Smith, Webber—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Darrah, Senate File No. 233, a bill for an act to provide for the election of delegates and alternate delegates to national conventions of political parties; for the election of party national committeemen; and for a preferential vote on president and vice-president of the United States (additional to chapter two-a (2-a) title seven (7), supplement to the code, 1907, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Darrah moved the substitute for the original bill be adopted.

Adopted.

Senator Darrah 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Nye, Ream, Robinson, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—33.

The nays were:

Cowles, Dunnegan, Quigley—3.

Absent or not voting:

Balluff, Farr, Garrett, Gillette, Hagemann, McCall, McManus, Neal, Perkins, Savage, Schrup, Sheean, Taylor, Wilson of Clinton—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senators Kimball and Neal of the committee appointed by the Senate to invite General Grenville M. Dodge to address the General Assembly in joint session filed the following report:

MR. PRESIDENT—Your special committee appointed by the Senate to carry out the purpose and intention of the concurrent resolution concurred in by the Senate on the 26th day of March, 1913, and concurred in by the House on the 31st day of March, 1913, inviting General Grenville M. Dodge to address the General Assembly in joint session, beg leave to make the following report:

That it is with great regret your committee received from General Grenville M. Dodge, the attached communication stating that it is impossible for him to attend, and your committee recommend that the communication of this distinguished soldier and citizen be printed in the record.

Very respectfully,

CLEM. F. KIMBALL.
S. W. NEAL.

Baldwin Block, Council Bluffs, Iowa, April 2, 1913.

HONS. CLEM F. KIMBALL, J. T. HAZEN, O. G. REEVE, GEO. W. CROZIER, S. W. NEAL,

Members of the Senate and House Committee, Iowa Legislature, Des Moines, Iowa.

GENTLEMEN: I am in receipt of yours of March 29th, enclosing the very kind and complimentary resolutions of the Iowa legislature, inviting me to visit and address your distinguished body. I appreciate the great honor and compliment you pay me, and I would consider it not only a duty, but a great pleasure to respond to any request of Iowa's legislature.

But I regret that it is not at present considered prudent for me to leave home. I am out attending to my work, but under treatment that makes it necessary for me to remain at home for the present.

The state of Iowa has many, many times greatly honored me, and one of the great satisfactions and pleasures of my life has been that, from the time I entered the state in May, 1853, I have been its citizen. Although my duties have been mostly outside of the state, my home and heart have been in it.

Unless one has traveled and had the opportunities I have had, he does not appreciate what an honor it is to be a citizen of a state that has the standing that Iowa has, not only in our, but in all countries. Its representatives in national and state councils have placed it upon the highest level in patriotism and statesmanship and in all things that make a country great.

In all these years I have seen Iowa develop and grow, and fortunately I have been able to take some part in this development, and it would be my greatest pleasure to, in person, extend to you, as the representative of all the people of Iowa, my heartfelt thanks for the great honor that you pay me, and I wish to extend to you, one and all, my best greetings and wishes for your good health, prosperity, and a successful ending of your labors.

I am,

Truly and most respectfully, your obedient servant,

GRENVILLE M. DODGE.

HOUSE MESSAGES CONSIDERED.

Senate File No. 260, a bill for an act to amend section two thousand and eighty-five (2085) of the Supplement to the Code, 1907, relating to taxes in aid of railroads and in relation to the

number of signatures of resident freeholders to petitions therefor in cities acting under special charter, and cities having a population of twenty-five thousand (25,000) or over.

Passed on file.

House File No. 411, a bill for an act to amend section thirty-five hundred five (3505) of the Code, 1897, as amended by the acts of the Thirty-third General Assembly, in relation to change of place of trial when a county is a party.

Read first and second time and referred to committee on Judiciary.

House File No. 441, a bill for an act to regulate the sale of calcium carbide or so-called carbide and prescribe the manner in which the same shall be packed and labeled.

Read first and second time and referred to committee on Food and Dairy.

House File No. 47, a bill for an act to authorize the incorporation in each county of the state of an association for the advancement and improvement of agriculture, animal husbandry and horticulture, to define the powers and rights of such associations and its members to provide for the submission to the voters of the question of levying a tax in aid of the objects of such association and to provide for the termination of such tax.

Read first and second time and referred to committee on Agriculture.

House File No. 474, a bill for an act to amend section six hundred and ninety-four-a (694-a) of the Supplement to the Code, 1907, relating to membership fees and dues in league of Iowa municipalities.

Read first and second time and referred to committee on Cities and Towns.

House File No. 300, a bill for an act to amend the law as it appears in section four thousand seven hundred and ninety-nine-a (4799-a) of the Supplement to the Code, 1907, relating to burglary with explosives.

Read first and second time and referred to committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Sullivan, 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. 475, a bill for an act to repeal section eight hundred sixteen (816) of the Code and enacting a substitute therefor and relating to the lien of special taxes for the cost of making and reconstruction of city improvements and sewers, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 475.

A BILL for an Act to Repeal Section Eight Hundred Sixteen (816) of the Code, and to Enact a Substitute Therefor and to Amend Section Eight Hundred Twenty-six (826) of the Code, Relating to the Lien of Assessment for City Improvements and Sewers.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section eight hundred sixteen (816) of the Code be and is hereby repealed and the following enacted in lieu thereof:

"When any city improvement or sewer has been made or constructed by any city, the clerk shall within ten days after filing of the plat and schedule in his office, file with the auditor of the county, or each of the counties, in which said city is situated a true copy of the proof of publication of the notice of assessment together with a certificate of the clerk that the plat and schedule are on file in the office of the clerk for the purpose of assessing the cost of city improvements or sewer to the abutting or adjacent property. Said clerk shall also file the description of each lot, tract or parcel of land against which special assessments are to be levied for the cost of said improvement or sewer. The auditor shall immediately enter same in a book to be kept for that purpose to be known as the special assessment lien index, which index shall show the description of the property, the character of the improvement, and the date of the ordinance or resolution by which the improvement is ordered.

Thereupon all special taxes for the cost thereof, or any part of said cost, which are to be assessed and levied against real property, or any railway or street railway, together with all interest and penalties on all of said assessments, shall become and remain a lieu on such property from the date of the filing of said papers, and entry upon said lieu index by the county auditor until paid, and shall have precedence over all other liens except ordinary taxes, which shall not be divested by any judicial sale; but such lien for street improvements in case of abutting property shall not cover to exceed one hundred and fifty feet in depth from the

abutting line. Any such assessment against a railway or street railway shall be a first and paramount lien upon the track thereof within the limits of the city.

Sec. 2. That section eight hundred twenty-six (826) of the Code is hereby amended by adding thereto the following:

"The date of entering said special assessments on the tax list shall also be shown opposite the lot, tract or parcel of land on the special assessment lien index"; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Substitute read first and second time.

Oredered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 217, a bill for an act to repeal section 816 of the Code and to enact a substitute therefor and to amend section 826 of the Code, relating to the lien of assessments for street improvements and sewers, beg leave to report they have had the same under consideration and recommend the same be indfinitly postponed, the context of the same being included in the substitute recommended for Senate File No. 475.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 500, a bill for an act to repeal the law as it appears in chapter two hundred twenty (220), acts of the Thirty-third General Assembly, and to amend the law as it appears in section forty-nine hundred ninety-nine-a9 (4999-a9) of the Supplement to the Code, 1907, relating to protection against fire and providing means for escape, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 483, a bill for an act to confer additional powers on cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa, as the same appears in chapter fourteen-c (14c) of title five of the 1907 Supplement to the Code, 1897, providing for the levy and collection of a special tax for the purchase, equipment, construction and maintenance of a garbage disposal plant, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend by inserting after the word "city" in the first line of section two (2), the following: "having a population of eighty thousand (80,000) or more"; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 482, a bill for an act to confer additional powers upon certain cities organized under chapter forty-eight (48) of the Thirty-second General Assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the Supplement to the Code, 1907, providing for the levy and collection of a special tax for the purchase and maintenance of apparatus and equipment for use in police service in the department of public safety, beg leave to report they have had the same under consideration and recommend the same be amended as follows, amend by adding thereto as section 6 the following:

"Sec. 6. Provided, however, that this act shall apply only to cities having a population of eighty thousand (80,000) or more, as shown by either the last United States or state census"; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 424, a bill for an act to regulate the levy and collection of special assessments in cities and towns acting under special charter and cities under commission plan of government. (Amendatory to chapter seven (7), title five (V) of the Code, beg leave to report they have had the same under consideration and recommend that the following substitute be reported to the Senate without recommendation:

SUBSTITUTE FOR SENATE FILE NO. 424.

A BILL for an Act to Regulate the Levy and Collection of Special Assessments in Cities and Towns and Cities Acting Under Special Charter and Cities Under Commission Plan of Government. (Amendatory to Chapter Seven (7), Title Five (V) of the Code.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. Whenever after January 1, 1914, any city or town council, including the councils of cities acting under special charter, levies any special assessment for street improvement as provided by chapter seven (7), title five (V) of the Code and amendments thereto and supplementary thereof, the same shall be made in accordance with the provisions of section seven hundred ninety-two-a (792-a) of the Supplement to the Code, 1907, and shall be levied to the amount to be assessed against private property, against all lots and parcels of land according to area so as to include one-half of the privately owned property between the street improved and the next street whether such privately owned property abut upon said street or not, but in no case shall privately owned property situated more than three hundred (300) feet from the street so improved be so assessed. In case of improvement upon any alley, such assessment shall be confined according to area to privately owned property within the block or blocks improved and if not platted into blocks for not more than one hundred and fifty (150) feet from such improved alley.

Sec. 2. All acts and parts of acts in conflict herewith are hereby repealed; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 312, a bill for an act to confer certain powers on cities organized under the commission form of government and on cities

having a population of five thousand (5,000) or more organized under chapter two (2) of title five (V) of the Code, and cities organized under special charter, relating to the organization, equipment and operations of fire departments and providing for the levy and collection of a special tax for the use and benefit of such fire departments, and granting power to anticipate said tax and to issue fire fund certificates on bonds, beg leave to report that they have had the same under consideration and recommend that the same be reported to the Senate without recommendation.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 436, a bill for an act granting additional powers to cities organized under the commission plan of government, and amending section one (1) of chapter sixty-seven (67), laws of the Thirty-third General Assembly, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 435, a bill for an act authorizing the issue of flood protection bonds by cities of the first class and cities acting under the commission plan of government, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend by inserting after the word "government" in the second line of the original bill the words, "having more than seventy-five thousand (75,000) population"; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 427, a bill for an act to amend section seven hundred fifty-one (751) of the Code, relating to streets and public grounds, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 149, a bill for an act to amend the law as it appears in section ten hundred and fifty-six-a-nine (1056-a9) of the Supplement to the Code, 1907, relating to municipal accounting of cities and towns, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House File No. 20, a bill for an act to grant power to cities now or hereafter having a population of twenty-thousand or over and organized under chapter fourteen-c (14-c) of title five (V) of the Supplement to the Code, 1907, and amendments thereto, to assume exclusive charge, custody and control of all trees and shrubbery and the planting and maintenance thereof on the public streets and to provide for the payment of the costs thereof, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

First by striking out the word "exclusive" in the fifth (5th) line of the original bill.

Second by striking out the word "twenty" in the second line of the original bill and inserting in lieu thereof the words "twenty-five."

Third amending the title by striking out the word "exclusive" in the fifth line of the original bill.

Fourth by striking out the word "twenty" in the second line of the title of the original bill and inserting in lieu thereof the words "twenty-five"; and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate File No. 469, a bill for an act authorizing cities and towns to create sanitary districts, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Neal, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military to whom was referred House File No. 323, a bill for an act to repeal section five thousand twenty-eight-a (5028-a) of the Supplement to the Code, 1907, and to enact a substitute therefore, relative to the prevention and punishment of the desecration, mutlation or improper use of the flag of the United States of America and the flag of the State of Iowa; beg leave to report they have had the same under consideration and recommend the same do pass.

S. W. NEAL,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills, respectfully report that they have examined and find correctly enrolled:

Senate File No. 114, a bill for an act to amend section 458-c, of the Supplement to the Code, 1907, and chapter 32 of the acts of the thirty-third General Assembly, relating to the payment of claims for injuries to domestic animals.

Also:

Senate File No. 177, a bill for an act to repeal the law as it appears in sections six hundred forty-eight (648) and six hundred fifty-one (651) of the Supplement of the Code, 1907, and to enact substitutes therefor, relative to the election and appointment of certain officers in cities and towns.

Also:

Substitute for Senate File No. 95, a bill for an act to legalize the incorporation of the town of Sharpsburg, Taylor County, Iowa, the election of its officers, the passage and record of all valid ordinances and resolutions, and all acts done that were in compliance with law by the council of said town.

Also:

Substitute for Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the Code, relating to investment of money and to enact a substitute therefor.

Also:

Senate File No. 156, a bill for an act repealing section one thousand three hundred twenty-six (1326) of the Code and enacting a substitute in lieu thereof relating to the assessment of stock of building and loan associations.

Also:

Senate File No. 413, a bill for an act to legalize the incorporation and acts and proceedings of Leopold Desk Company, of Burlington, Des Moines County, Iowa.

J. H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills, respectfully report that they have examined and find correctly enrolled:

Senate File No. 439, a bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employees with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the Supplement to the Code, 1907, re-

lating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund. And to repeal all acts and parts of acts in conflict with this act.

Also:

Senate File No. 316, a bill for an act to legalize the adoption of certain propositions at an election of the county of Wapello, State of Iowa, with the effect of authorizing the board of supervisors of said county to purchase land for an addition to the county home farm of said county, and to incur indebtedness for the purchase of such land, and to levy a continuing annual tax to provide for the payment of such indebtedness.

Also:

Substitute for Senate File No. 178, a bill for an act to repeal the law as it appears in section seven hundred eleven (711) of the Code, and to enact a substitute therefor relating to the powers of cities and towns to enact ordinances for protection against fires, accidents from electrical apparatus, to establish fire limits, to prohibit within such limits the erection of buildings and structures of certain construction and providing for the cost of removal or taking down of buildings erected in violation of such ordinances.

Also:

Senate File No. 226, a bill for an act to repeal the law as it appears in sections twenty-six hundred ninety-one (2691) and twenty-six hundred ninety-two (2692) of the Supplement to the Code, 1907, and to enact a substitute therefor to provide for the support of the Iowa Soldiers' Orhpans' Home.

Also:

Senate File No. 245, a bill for an act to amend section eight hundred twenty (820) of the Code fixing time in which the city council or board of public works, where such board exists, shall ascertain the cost and prepare the assessment, plat and schedule relative to the special assessment of property for the making or reconstruction of street improvements.

Also:

Senate File No. 397, a bill for an act to make section eight hundred seven (807) of the Code applicable to cities acting under special charter.

Also:

Senate File No. 114, a bill for an act to amend section 458-c, of the Supplement to the Code, 1907, and chapter 32 of the acts of the thirty-third General Assembly, relating to the payment of claims for injuries to domestic animals.

Also:

Senate File No. 177, a bill for an act to repeal the law as it appears in sections six hundred forty-eight (648) and six hundred fifty-one (651) of the Supplement of the Code, 1907, and to enact substitutes therefor, relative to the election and appointment of certain officers in cities and towns.

Also:

Substitute for Senate File No. 95, a bill for an act to legalize the incorporation of the town of Sharpsburg, Taylor County, Iowa, the election of its officers, the passage and record of all valid ordinances and resolutions, and all acts done that were in compliance with law by the council of said town.

Also:

Substitute for Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the Code, relating to investment of money and to enact a substitute therefor.

Also:

Senate File No. 156, a bill for an act repealing section one thousand three hundred twenty-six (1326) of the Code and enacting a substitute in lieu thereof relating to the assessment of stock of building and loan associations.

Also:

Senate File No. 413, a bill for an act to legalize the incorporation and acts and proceedings of Leopold Desk Company, of Burlington, Des Moines County, Iowa.

Also:

House File No. 31, a bill for an act to repeal section six hundred seventy-four (674) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the compensation of assessors in cities and towns.

Also:

House File No. 105, a bill for an act to provide for the payment of bounties for killing crows.

J. H. TAYLOR,
Chaiman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 439, a bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employees with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the Supplement to the Code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund. And to repeal all acts and parts of acts in conflict with this act.

Also:

Senate File No. 316, a bill for an act to legalize the adoption of certain propositions at an election of the county of Wapello, State of Iowa, with the effect of authorizing the board of supervisors of said county to purchase land for an addition to the county home farm of said county, and to incur indebtedness for the purchase of such land, and to levy a continuing annual tax to provide for the payment of such indebtedness.

Also:

Substitute for Senate File No. 178, a bill for an act to repeal the law as it appears in section seven hundred eleven (711) of the Code, and to enact a substitute therefor relating to the powers of cities and towns to enact ordinances for protection against fires, accidents from electrical apparatus, to establish fire limits, to prohibit within such limits the erection of buildings and structures of certain construction and providing for the cost of removal or taking down of buildings erected in violation of such ordinances.

Also:

Senate File No. 226, a bill for an act to repeal the law as it appears in sections twenty-six hundred ninety-one (2691) and twenty-six hundred ninety-two (2692) of the Supplement to the Code, 1907, and to enact a substitute therefor to provide for the support of the Iowa Soldiers' Orhpans' Home.

Also:

Senate File No. 245, a bill for an act to amend section eight hundred twenty (820) of the Code fixing time in which the city council or board of public works, where such board exists, shall ascertain the cost and prepare the assessment, plat and schedule relative to the special assessment of property for the making or reconstruction of street improvements.

Also:

Senate File No. 397, a bill for an act to make section eight hundred seven (807) of the Code applicable to cities acting under special charter.

JOHN H. TAYLOR,
Chairman.

Passed on file.

REPORTS OF COMMITTEES.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 647, a bill for an act for the relief of M. O. Clemens for personal injuries sustained by him while employed as engineer in the state sanatorium for the treatment of tuberculosis at Oakdale, Iowa, and making an appropriation therefor; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOS. MATTES,
Chairman.

Senator Mattes moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Boe, from the committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your committee on Public Libraries to whom was referred Senate File No. 393, a bill for an act to amend section two (2) of chapter one hundred and ninety (190), laws of the Thirty-third General Assembly relative to the library commission and traveling library; beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 393.

A BILL for an act to Amend Section Two (2) of Chapter One Hundred and Ninety (190), Laws of the Thirty-third General Assembly Relative to the Library Commission and Traveling Library.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section 2 of chapter 190, acts of the Thirty-third General Assembly, be, and the same is hereby amended by striking therefrom the words and figures "six thousand dollars ($6,000.00)", and that the words and figures "seven thousand six hundred dollars ($7,600.00)" be, and the same is hereby inserted in lieu thereof, and when so amended the bill do pass.

L. W. BOE,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Libraries to whom was referred House File No. 464, a bill for an act to extend the benefits of free public libraries, and to repeal sections 7229-a, 592-a and 741-n of the Supplement to the Code, 1907, relating thereto, and to enact substitutes therefor, and to amend sections 422, 2749 and 2823-n of the Supplement to the Code, 1907, by granting school corporations and boards of county supervisors additional powers relating thereto; beg leave to report they have had the same under consideration and recommend the same do pass.

L. W. BOE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Libraries to whom was referred Senate File No. 498, a bill for an act to amend the law relating to the state library commission as the same appears in section 2888-a, Supplement to the Code, 1907; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. W. BOE,
Chairman.

Senator Boe moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Public Libraries to whom was referred House File No. 306, a bill for an act to amend sections seven hundred thirty-two (732), and eight hundred ninety-four (894), of the Supplement to the Code, 1907, relative to the levying of taxes for public labraries; beg leave to report they have had the same under consideration and recommend the same do pass.

L. W. BOE,
Chairman.

Ordered passed on file.

Senator Mattes, 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. 308, a bill for an act to amend sections two thousand four hundred forty-eight (2448) of the Supplement to the Code, 1907, two thousand four hundred forty-nine (2449) of the Code of 1897, two thousand four hundred fifty-one (2451) of the Supplement to the Code, 1907, relating to the sale of intoxicating liquors, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOS. MATTES,
Chairman.

Senator Mattes moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Suppression of Intemperance to whom was referred Senate File No. 168, a bill for an act to amend section one (1) of chapter one hundred forty-two (142) of the acts of the Thirty-third (33d) General Assembly, changing the number of consents to sell intoxicating liquors, that may be granted by city or town councils, from

one (1) to every one thousand (1,000) of population to one (1) to every one hundred (100) legally qualified signers of petitions of consent, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOS. MATTES,
Chairman.

Senator Mattes moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Suppression of Intemperance to whom was referred Senate File No. 244, a bill for an act repealing the law as it appears in section twenty-four hundred fifty (2450), Supplement to the Code, 1907, and providing a substitute therefor relating to statements of consent to keep for sale and sell intoxicating liquors under the mulct law, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOS. MATTES,
Chairman.

Senator Mattes moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Journal of April 1st was taken up, corrected and approved.

Journal of April 2nd was taken up, corrected and approved.

Senator Mattes moved that the Senate do now adjourn until 9:00 o'clock A. M. tomorrow.

Caried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 4, 1913.

Senate met in regular session at 9 o'clock a. m., President Harding presiding.

Prayer was offered by Alexander McFerran, Oskaloosa, Iowa.

PETITIONS AND MEMORIALS.

Senator Taylor presented a remonstrance of citizens of Van Buren county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Kimball presented a remonstrance of citizens of Pottawattamie county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Allen presented a remonstrance of citizens of Pocahontas county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Jones presented a remonstrance of citizens of Montgomery county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Robinson presented a remonstrance of citizens of Hancock county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a remonstrance of citizens of Lucas, Iowa, protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

REPORTS OF COMMITTEES.

Senator Cowles, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate File No. 506, a bill for an act to amend section one (1) of chapter seventy-nine (79) of the laws of the Thirty-fourth General Assembly, relating to co-insurance clauses in policies of fire insurance companies, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 506.

A BILL for an Act to Amend Section One (1) of Chapter Seventy-nine (79) of the Laws of the Thirty-fourth General Assembly, Relating to Co-Insurance Clauses in Policies of Fire Insurance Companies.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section one (1) of chapter seventy-nine (79) of the acts of the Thirty-fourth General Assembly be and the same is hereby amended by striking therefrom the word "twenty-five" in the ninth line thereof and substituting in lieu thereof the word "five" and that there be stricken from section one (1) of said chapter seventy-nine (79) of the acts of the Thirty-fourth General Assembly the words "except as to grain elevators and grain warehouses and their contents"; and when so amended the bill do pass.

LAMONTE COWLES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate File No. 386, a bill for an act relative to the granting of loan or cash surrender values on insurance contracts; and to amend the law as it appears in sections seventeen hundred thirty-nine (1739) and eighteen hundred twenty-four (1824) of the Code, sections thirteen hundred thirty-three (1333), thirteen hundred thirty-three-d (1333-d), eighteen hundred six (1806), and eighteen hundred thirty-nine-l (1839-l) of the Supplement to the Code, 1907, section two (2) of chapter one hundred thirteen (113) of the acts of the Thirty-third General Assembly; and to repeal section eighteen hundred thirteen (1813) of the Code and to enact a substitute therefor, relating to insurance, beg leave to report they have

had the same under consideration and recommend the same be amended by striking out section three (3) and inserting in lieu thereof the following:

Sec. 3. That the law as it appears in section thirteen hundred thirty-three (1333) of the Supplement to the Code, 1907, as amended by chapter eighteen (18) of the acts of the Thirty-fourth General Assembly be and the same is hereby amended by striking from the twentieth line thereof the period and substituting therefor a semicolon, and adding thereto immediately following the semicolon the following clause: "provided, however, that there shall be deducted from such gross amount of premiums received the total amount of premiums paid for reinsurance to companies licensed to do business in this state."

That the law as it appears in the section above referred to be further amended by striking out the last sentence of said section and substituting in lieu thereof the following:

"Provided, however, that such companies operating under the provisions of chapter 4, title IX of the Code, may deduct from the gross amount of premiums received the total amount of premiums returned upon cancelled policies issued upon property situated in this state and upon the lives of persons residing in this state"; and when so amended the bill do pass.

LAMONTE COWLES,
Chairman.

Ordered passed on file.

Senator Fellows, from the committee on Commerce and Trade, submitted the following report:

MR. PRESIDENT—Your committee on Commerce and Trade, to whom was referred House File No. 493, a bill for an act to prohibit fraudulent advertising, and providing a penalty therefor, beg leave to report they have had the same under consideration and recommend the same be placed on the Calendar without recommendation.

A. M. FELLOWS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Commerce and Trade, to whom was referred House File No. 108, a bill for an act to prohibit the sale, keeping for sale, loaning, giving away or carrying of certain dangerous weapons, to prevent the carrying of concealed weapons, except in specified cases

when a permit is issued therefor; to provide punishment for the violation of the provisions hereof, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on Judiciary.

A. M. FELLOWS,
Chairman.

Senator Fellows moved the adoption of the report of the committee.

Adopted.

So the bill was 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. 633, a bill for an act to amend section 24, chapter 68, acts of the Thirty-fourth General Assembly, relating to collateral inheritance tax.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 650, a bill for an act to amend section 2583-c, Supplement to the Code, 1907, relating to the practice of osteopathy.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 651, a bill for an act to amend section 2576 of the Supplement to the Code, 1907, relating to the practice of medicine.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 471, a bill for an act to amend chapter 102 of the acts of the Thirty-fourth General Assembly, relating to the penalty of the laws relating to the sale or keeping for sale of intoxicating liquors.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 481, a bill for an act to amend the law as it appears in section 2358 of the Code relating to partition fences.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 527, a bill for an act to repeal section 4015 of the code in relation to exemptions from execution and to enact a substitute therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 99, a bill for an act to repeal section 2261 and section 2309 of the code relative to commissions of insanity and enact substitutes therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 412, a bill for an act to amend sections 9 and 10 of chapter 118 of the acts of the Thirty-third General Assembly in relation to actions involving drainage districts.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 184, a bill for an act to create a law and legislative reference and bill drafting department of the state library; providing for a director and subordinate officers and employes thereof; prescribing the duties and fixing the salaries thereof, and making an additional appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 595, a bill for an act to repeal section 3093 of the code, and to enact a substitute therefor relating to subcontractors' mechanics' liens and the liability of the owner of a building or structure to the principal contractor and the subcontractor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 183, a bill for an act to repeal section 2553 of the code and to enact a substitute therefor, relating to trapping, killing or ensnaring certain fur-bearing animals.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 553, a bill for an act to repeal section 3538 of the code and to enact a substitute therefor, relative to the bringing of actions against unknown defendants.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 amend section 4661 of the Code, relating to witness fees.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 90, a bill for an act to repeal section 5 of chapter 61 of the acts of the Thirty-third General Assembly, etc., relating to pensions for disabled and retired firemen.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 545, a bill for an act to amend the law as it appears in chapter 68, acts of the Thirty-fourth General Assembly, relating to the assessment and collection of a tax on collateral inheritance of estates, etc., repealing certain other sections thereof and providing substitutes therefor, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 regulate the passing of automobiles or other vehicles by another traveling in the same direction.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 613, a bill for an act to amend section 4852-c Supplement to the Code, 1907, relating to larceny of poultry.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 591, a bill for an act specifying qualifications for county attorneys additional to chapter 9, title 3 of the Code.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 to amend section 696 of the Supplement to the Code, 1907, relating to the prevention of nuisances and the regulation of slaughter houses and other such places by cities and towns.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 230, a bill for an act to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act.

A. C. GUSTAFSON,
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. 70, a bill for an act to establish a department of public instruction, and to make the superintendent of public instruction, ex-officio a member of the state board of education.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 388, a bill for an act to legalize certain decrees of courts entered in actions to annul marriages.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 363, a bill for an act to issue a patent to T. F. McCaffrey for a certain tract of land.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 legalize releases and discharges of judgments made by administrators.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 328, a bill for an act to confirm the title of Anna L. Edgar to a certain piece of land.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill which the concurrence of the House was asked

Senate File No. 304, a bill for an act for the relief of the grantees of David E. Frey.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 291, a bill for an act legalizing the conveyances of real property by foreign executors or trustees.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 38, a bill for an act to provide for the compilation of the laws of the Thirty-third, Thirty-fourth and Thirty-fifth General Assemblies and the laws as they appear in the Supplement to the Code, 1907, to annotate same and the Code and rules of the supreme court, etc., making an appropriation therefor and repealing section 24 of chapter 20 of the acts of the Twenty-sixth General Assembly, extra session.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 Joint Resolution No. 10, referring joint resolution number (6), relating to the amendment proposed to section one (1) of article two (2) of the constitution of the State of Iowa, to the Thirty-sixth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 315, a bill for an act providing for the securing of claims of sub-contractors who furnish labor or material for construction of drainage ditches, in addition to chapter two-a, title 10, Supplement to the Code, 1907.

A. C. GUSTAFSON,
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. 509, a bill for an act to amend section one (1) of chapter 49 of the acts of the Thirty-fourth General Assembly relating to the improvement of water fronts in cities acting under special charter and enacting a substitute therefor relating to the levee improvement and commission in such cities.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the the House has concurred in Senate amendments to the following bill in which the concurrence of the House was asked:

House File No. 260, a bill for an act to amend section two thousand seven hundred twenty-seven-c (2727-c) of the Supplement to the Code of 1907, relating to school for blind.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists on its amendments to Senate File No. 306, a bill for an act providing for a commission on public Utitlities and asks for a conference committee, and the speaker appoints as such committee on the part of the House, Stipe of Page, Craig of Madison, Griffin of Woodbury, Lund of Hamilton, Lenocker of Pottawattamie and Hansen of Shelby.

A. C. GUSTAFSON,
Chief Clerk.

Senator Chase moved that the Senate request the House to return to the Senate, Senate File No. 169.

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 returns herewith as requested, the following bill.

Senate File No. 169, a bill for an act to change the burden of proof, where contributory negligence is relied on as a defense and to provide rules of procedure in such cases.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House File No. 633, a bill for an act to amend section twenty-four (24) chapter sixty-eight (68) of the acts of the Thirty-fourth General Assembly, relating to the payment of collateral inheritance tax.

Read first and second time and referred to committee on Ways and Means.

House File No. 650, a bill for an act to amend the law as it appears in section twenty-five hundred eighty-three-c (2583-c), supplement to the code, 1907, relating to the practice of osteopathy.

Read first and second time and referred to committee on Public Health.

House File No. 651, a bill for an act to amend the law as it appears in section twenty-five hundred seventy-six (2576) and twenty-five hundred seventy-eight-a (2578-a), supplement to the code, 1907, relating to the practice of medicine.

Read first and second time and referred to committee on Public Health.

House File No. 471, a bill for an act to amend chapter one hundrad two (102) of the acts of the Thirty-fourth General Assembly, relating to the penalty for the violation of the laws relating to he sale or keeping for sale of intoxicating liquors.

Read first and second time and referred to committee on Suppresion of Intemperance.

House File No. 481, a bill for an act to amend the law as it appears in section twenty-three hundred fifty-eight (2358) of the code, relating to partition fences.

Read first and second time and referred to committee on Agriculture.

House File No. 527, a bill for an act repealing section four thousand and fifteen (4015) of the code in relation to exemptions from execution and to enact a substitute therefor.

Read first and second time and referred to committee on Judiciary.

House File No. 99, a bill for an act to repeal section two thousand two hundred sixty-one (2261) and section two thousand three hundred nine (2309) of the code relative to commissions of insanity and enact substitutes therefor.

Read first and second time and referred to committee on Judiciary.

House File No. 412, a bill for an act to amend sections nine (9) and thirteen (13) of chapter one hundred eighteen (118) of the acts of the Thirty-third General Assembly in relation to actions involving drainage districts.

Read first and second time and referred to committee on Judiciary.

House File No. 184, a bill for an act to create a law and legislative reference and bill drafting department of the state library; providing for a director and subordinate officers and employees thereof; prescribing the duties and fixing the salaries thereof, and making an additional appropriation therefor.

Read first and second time and referred to committee on Libraries.

House File No. 595, a bill for an act to repeal section three thousand ninety-three (3093) of the code, and to enact a substitute therefor, relating to subcontractors' mechanic's liens and the liability of the owner of a building or structure to the principal contractor and the subcontractor.

Read first and second time and referred to committee on Judiciary.

House File No. 183, a bill for an act to repeal section twenty-five hundred fifty-three (2553) of the code and to enact a substitute therefor, relating to trapping, killing or ensnaring certain fur bearing animals.

Read first and second time and referred to committee on Judiciary.

House File No. 553, a bill for an act to repeal section three thousand five hundred thirty-eight (3538) of the code, relative to the bringing of actions against unknown defendants, and to enact a substitute therefor.

Read first and second time and referred to committee on Judiciary.

House File No. 457, a bill for an act to amend section four thousand six hundred and sixty-one (4661) of the code, relating to witness fees.

Read first and second time and referred to committee on Judiciary.

House File No. 90, a bill for an act to repeal sections one (1) and five (5) of chapter sixty-one (61) of the acts of the Thirty-third General Assembly as amended by chapter fifty (50) of the acts of the Thirty-fourth General Assembly and to enact substitutes therefor, relating to pensions for disabled and retired firemen.

Read first and second time and referred to committee on Cities and Towns.

House File No. 545, a bill for an act to amend the law as it appears in chapter sixty-eight (68), acts of the Thirty-fourth General Assembly, relating to the assessment and collection of a tax on collateral inheritance of estates, annuities, legacies, bequests, gifts and transfers; repealing certain sections thereof and providing substitutes therefor; making the provisions of said chapter applicable to direct inheritance of estates, anuities, bequests, gifts and transfers; subjecting the same to taxes, providing the rate of all such taxes, and making exceptions therefrom.

Read first and second time and referred to committee on Ways and Means.

House File No. 490, a bill for an act to regulate the passing of automobiles or other vehicles by another traveling in the same direction.

Read first and second time and referred to committee on Roads and Highways.

House File No. 613, a bill for an act to amend section four thousaid eight hundred fifty two-d (4852-d) supplement to the code, 1907, relating to larceny of poultry.

Read first and second time and referred to committee on Judiciary.

House File No. 591, a bill for an act specifying qualifications for county attorneys additional to chapter nine (9), title three (3) of the code.

Read first and second time and referred to committee on Judiciary.

House File No. 290, a bill for an act to amend section six hundred ninety-six (696) of the supplement to the code, 1907, relating to the prevention of nuisances and the regulation of slaughter houses and other such places by cities and towns.

Read first and second time and referred to committee on Cities and Towns.

House File No. 230, a bill for an act to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act.

Read first and second time and referred to committee on Board of Control and its Institutions.

Senate File No. 304, a bill for an act for the relief of the grantees of David E. Fry, and for the purpose of having patents issued in the names of W. F. Pomeroy and Arthur Dilley, for certain tracts of land.

House amendments.

Amend Senate File No. 304 by striking out of line 17 the following words: "of the Northwest quarter."

Also, amend by striking out of the 18th line the following: "of NW¼."

Passed on file.

Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the board of railroad commissioners to "Public Utilities Commission;" enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the board of railroad commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns cer-

tain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities.

Senator Crist moved that a conference committee of six be appointed on Senate File No. 306.

Carried.

President appointed as such conference committee on the part of the Senate, Senators Crist, Francis, Cowles, DeWolf, Sullivan and Webber.

Senate File No. 169, a bill for an act to change the burden of proof where contributory negligence is relied on as a defense and to provide rules of procedure in such cases.

Unanimous consent was given to reconsider the vote by which Senate File No. 169 passed the Senate.

Senator Chase moved that the vote by which Senate File No. 169 passed the Senate be reconsidered.

Carried.

Unanimous consent was given to reconsider the vote by which Senate File No. 169 passed to its third reading.

Senator Chase moved that the vote by which Senate File No. 169 passed to its third reading be reconsidered.

Carried.

THIRD READING OF BILLS.

On motion of Senator Sullivan, House File No. 110, a bill for an act to provide for the nomination of district judges in judicial districts composed wholly of one country and having a population of seventy-five thousand (75,000) or more at the primary election, 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 postponed.

The President announced that as President of the Senate he had signed in the presence of the Senate, Senate Files Nos. 114, 177, 95, 13, 156 and 413.

THIRD READING OF BILLS.

On motion of Senator Robinson, House File No. 226, a bill for an act to amend section sixteen hundred sixty (1660) of the supplement to the code, 1907, to aid county agricultural societies,

with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Robinson 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 ayes were:

Allen, Ames, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Farr, Francis, Garrett, Gillette, Kimball, McManus, Neal, Quigley, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

Ream—1.

Absent or not voting:

Arney, Balkema, Chase, Dunnegan, Fellows, Hagemann, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Savage, Webber—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Smith, House File No. 513, a bill for an act to prohibit the importation of diseased bees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Smith 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 ayes were:

Boe, Chase, Cowles, Crist, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, McManus, Neal, Nye, Perkins, Ream,

Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—28.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Balkema, Balluff, Clarkson, Crow, Darrah, Farr, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Quigley, Webber—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Boe offered the following motion:

I move that House File No. 169 be recalled from the committee on the Suppression of Intemperance and put upon the Calendar.

Laid over under the rules.

Senate resumed consideration of House File No. 110, a bill for an act to provide for the nomination of district judges in judicial districts composed wholly of one county and having a population of 75,000 or more, at the primary election.

Senator Sullivan offered the following amendment and moved its adoption:

Amend section 2 by adding:

"Provided, however, that this act shall not apply when by statute, provision is made for state wide non-political judicial nominations."

Adopted.

Senator Sullivan 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 ayes were:

Balluff, Chase, Cowles, Crist, DeWolf, Doran, Dunnegan, Farr, Fellows, Gillette, Hagemann, Heald, Hilsinger, McManus, Neal, Nye, Perkins, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crow, Darrah, Francis, Garrett, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Quigley, Webber, White—21.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Ream, Senate File No. 304, a bill for an act for the relief of the grantees of David E. Fry, and for the purpose of having patents issued in the names of W. F. Pomeroy and Arthur Dilley, for certain tracts of land, was taken up and considered.

Senator Ream moved that the Senate concur in the following House amendments:

House amendment: Amend Senate File No. 304 by striking out of line 17 the following words: "of the northwest quarter."

Also, amend by striking out of the 18th line the following: "of nw¼."

On the question, "Shall the Senate concur in the House amendments?"

The ayes were:

Allen, Balluff, Cowles, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Neal, Nye, Perkins, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

None.

Absent or not voting:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Francis, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Quigley, Webber—21.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator Hilsinger, Senate File No. 527, a bill for an act to amend section two thousand five hundred sixty-one (2561) as it appears in the Supplement to the Code, 1907, for the protection of birds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hilsinger 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 ayes were:

Allen, Balluff, Chase, Cowles, Crist, Crow, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Hagemann, Heald, Hilsinger, Mattes, McManus, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

Gillette, Neal, Smith—3.

Absent or not voting:

Ames, Arney, Balkema, Boe, Clarkson, Darrah, Francis, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McColl—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The time having arrived for Special Order, Senate File No. 3, a bill for an act relating to employers' liability for personal injury

sustained by employes in line of duty, fixing compensation therefor, securing the payment thereof by indemnity insurance, creating a board of directors for the management thereof, defining their powers and duties relating thereto, providing for the appointment of three commissioners, and defining their power and duty, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Darrah was called to the chair at 10:15.

President resumed the chair at 10:30.

Further consideration of the bill was postponed.

INTRODUCTION OF BILLS.

By Committee on Educational Institutions, Senate File No. 541.

A Bill for an Act Regulating the Appointment and Defining the Powers and Duties of the State Board of Education Relative to the Courses of Study for the State Educational Institutions under their Control and Amending Sections One (1) and Four (4) Chapter 170 of the Laws of the Thirty-third General Assembly Relating Thereto and Providing for the Recision of a Certain Order of the State Board of Education with Reference to Said Matters.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section four (4) chapter 170 of the acts of the Thirty-third General Assembly is hereby amended by inserting after the word "state" and before the word "to" in the sixth line thereof the following: "and shall prescribe courses of study. Such courses of study shall be provided and maintained in the several educational institutions as may be adapted to the education of both sexes with regard to the general purposes of such institutions, and shall include home economics, and may be duplicated to such extent as will advance the educational interests of the state."

Sec. 2. That section one (1) chapter 170 of the acts of the Thirty-third General Assembly is hereby amended by adding thereto the following: "and no member of this board hereafter appointed shall be a resident of any county within which any institution under control of the board is situated."

Sec. 3. That whereas conditions have arisen which make it unwise for the state board of education to carry into effect its order of October 8, 1912, relating to changes in the courses of study in the different schools under supervision of the board, therefore be it resolved that the board of education is requested to rescind its order of October 8, 1912.

Sec. 4. This act, being deemed of immediate importance shall take effect and be in force from and after its passage and publication in the Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Read first and second time, and by unanimous consent the bill was taken up for consideration.

Senate File No. 541, a bill for an act regulating the appointment and defining the powers and duties of the state board of education relative to the courses of study for the state educational institutions under their control and amending sections one (1) and four (4) chapter 170 of the laws of the Thirty-third General Assembly relating thereto and providing for the recision of a certain order of the state board of education with reference to said matters.

Senator Arney moved that the rule be suspended by which no bill can be read the second and third times the same day.

Carried unanimously.

Senator Chase was called to the chair at 10:45.

President Harding resumed the chair at 10:50.

The bill was read for information.

Senator Arney moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, Mattes, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—43.

The nays were:

Larrabee, Malmberg, McColl, Perkins—4.

Absent or not voting:

Savage, Spaulding, Thomas—3.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORTS OF COMMITTEE.

Senator Mattes, 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. 524, a bill for an act to amend section twenty-four hundred three (2403) of the code, relative to the sale of intoxicating liquors, beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your committee on Suppression of Intemperance to whom was referred House File No. 173, a bill for an act to amend the law authorizing the sale of intoxicating liquors by permit holders as the same appears in sections twenty-three hundred eighty-five (2385), twenty-three hundred eighty-seven (2387), twenty-three hundred ninety-one (2391), twenty-three hundred ninety-four (2394), twenty-three hundred ninety-five (2395), twenty-three hundred ninety-six (2396), twenty-three hundred and ninety-seven (2397), of the code, and sections twenty-three hundred eighty-six (2386), twenty-three hundred ninety (2390), twenty-three hundred ninety-two (2392), and twenty-four hundred one (2401), of the supplement to the code, 1907, as amended by chapter one hundred thirty-nine (139) of the acts of the Thirty-third General Assembly, and chapter one hundred and three (103) of the acts of the Thirty-fourth (34th- General Assembly, beg leave to report they have had the same under consideration and recommend the same be reported back to the Senate without recommendation.

JOS. MATTES,
Chairman.

Senator Mattes moved the adoption of the report of the committee.

Adopted.

Also:

MR. PRESIDENT.—Your committee on Suppression of Intemperance to whom was referred House File No. 169, a bill for an act to amend division two of section twenty-four hundred forty-eight (2448) of supplement to the code, relating to the limits within which intoxicating liquors may be sold, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Strike out all of section 2, and in lieu thereof insert the following as section 2: "This act shall apply only to saloons within said distance from any normal school, college or university under the control of the State Board of Education, operated under petitions of consent circuated and declared sufficient after the passage hereof." Also add thereto section 3, as follows: "Section 3. That the governor of the state is hereby authorized to appoint three disinterested persons who shall, upon the passage of this act, determine the reasonable value of the breweries that are now in operation and affected by this act and the state shall pay to the owners of said breweries the reasonable value so determined, and there is hereby appropriated out of the funds of the state treasury, not otherwise appropriated, a sum sufficient to cover said amount." and when so amended the bill be reported back to the senate without recommendation.

JOS. MATTES,
Chairman.

Ordered passed on file.

Senator Francis moved that the bill be made a special order for 2 p. m. today.

Senator Balluff arose to a point of order that as the bill carried an appropriation it should go to the committee on Appropriations.

Declared out of order at this time as a motion to make a special order was in order and bill would finally under the rules have to go to committee on Appropriations.

Senator Allen arose to the point of order that the bill was not now before the Senate as report of committee had not been adopted.

President declared the point of order not well taken and that a motion to make a special order before report was adopted was in order.

Senator Balluff moved as a substitute for the motion made by Senator Francis that bill be sent to committee on Appropriations.

Declared out of order at this time.

Senator Sullivan moved as a substitute for the motion of Senator Francis that further consideration of bill be postponed until 10 o'clock A. M., Monday and that it be made a special order for that time.

On the substitute motion of Senator Sullivan, a roll call was demanded.

The ayes were:

Balluff, Cowles, Crow, DeWolf, Garrett, Hagemann, Hilsinger, Legel, McManus, Quigley, Ream, Schrup, Sheean, Sullivan, Webber, White, Wilson of Clinton—17.

The nays were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Fellows, Francis, Gillette, Heald, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Robinson, Savage, Smith, Spaulding, Taylor, Thomas, Wilson of Appanoose—32.

Absent or not voting:

Farr—1.

So the substitute motion was lost.

Senator White offered as a substitute for motion of Senator Francis that the bill be sent to committee on Appropriations.

Declared out of order.

On the motion of Senator Francis, a roll call was demanded.

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Doran, Fellows, Francis, Gillette, Heald, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Robinson, Savage, Smith, Spaulding, Taylor, Thomas, Wilson of Appanoose—31.

The nays were:

Baluff, Cowles, Crow, DeWolf, Dunnegan, Garrett, Hagemann, Hilsinger, Legel, McManus, Quigley, Ream, Schrup, Sheean, Sullivan, Webber, White, Wilson of Clinton—18.

Absent or not voting:

Farr—1.

Motion adopted and made a special order for 2:00 P. M. today.

President referred House File No. 169 to committee on Appropriations.

Senator Francis moved that the committee on Appropriations be instructed to report on the bill on or before 2 o'clock P. M., today.

Carried.

THIRD READING OF BILLS.

The time having arrived for special order, Senate File No. 369, a bill for an act fixing the standard of qualifications of all persons desiring to practice mechanical therapy and for the regulation thereof; to create a state board of mechanical therapeutic examiners, and to provide for the registration of those entitled to practice mechanical therapy, and providing penalties for violation of any of the provisions thereof, was taken up, and considered.

Under rule 13, Senator Smith asked for a division of the question before the Senate, the motion filed by Senator Allen on April 3d, to reconsider the vote by which Senate File No. 369 passed the Senate, and to lay the motion to reconsider on the table.

The president divided the question, and submitted the part, "reconsider the vote by which Senate File No. 369 passed the Senate," for the consideration of the Senate.

The ayes were:

Ames, Balkema, Balluff, Boe, Cowles, Crist, Crow, Darrah, DeWolf, Farr, Fellows, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, Perkins, Savage, Schrup, Smith, Webber, White, Wilson of Appanoose, Wilson of Clinton—27.

The nays were:

Allen, Chase, Clarkson, Doran, Dunnegan, Garrett, Gillette, Legel, McColl, McManus, Quigley, Ream, Robinson, Sheean, Spaulding, Sullivan, Taylor, Thomas—18.

Absent or not voting:

None.

So the motion to reconsider prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Chase, Clarkson, Crow, Doran, Dunnegan, Garrett, Gillette, Legel, McColl, McManus, Nye, Quigley, Ream, Robinson, Sheean, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—22.

The nays were:

Ames, Belkema, Balluff, Cowles, Crist, DeWolf, Farr, Fellows, Hagemann, Hilsinger, Jewell, Jones, Larrabee, Malmberg, Mattes, Perkins, Savage, Schrup, Smith, Webber, Wilson of Clinton—22.

Absent or not voting:

Boe, Francis, Heald, Kimball, Neal, White—6.

So the bill having failed to receive a constitutional majority was declared lost.

On motion of Senator Chase, Senate File No. 169, a bill for an act to change the burden of proof where contributory negligence is relied on as a defense and to provide rules of procedure in such cases, was taken up, and considered.

Senator Chase offered the following amendment and moved its adoption:

I move to amend by adding at the end of section 1, the following: "except in mitigation of damages."

Adopted.

Senator Chase 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 ayes were:

Allen, Arney, Balkema, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, McColl, Neal, Perkins, Quigley, Ream, Robinson, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

DeWolf, Farr, Hagemann—3.

Absent or not voting:

Ames, Balluff, Boe, Cowles, Jewell, Kimball, Mattes, McManus, Nye, Savage, Schrup, Sheean, Smith, White—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The joint committee on Retrenchment and Reform filed the following report which was ordered printed in the Journal:

JOINT REPORT OF COMMITTEE ON RETRENCHMENT AND REFORM.

To the Senate and House of the Thirty-fifth General Assembly.

Mr. President and Mr. Speaker—Your joint committee on retrenchment and reform which was instructed to investigate the department of agriculture and report to the assembly, beg leave to state that they have made such investigation and herewith submit their report, together with testimony taken and the partial report of Quail, Parker & Company, the efficiency engineers employed by this committee.

The investigation developed that the Iowa State Fair, conducted by the board of the department of agriculture, is one of the most extensive and successful annual state exhibits of agriculture in the United States; that during the week while the annual fair is held the board handles approximately $190,000, and to conduct a fair of that magnitude during this short period requires considerable executive ability and peculiar fitness and qualifications of the men in charge.

Under the present system the members of the board are elected at large and selected in view of their qualifications to handle the separate departments of the exihition, such as finance, transportation, horticulture, machinery or live stock, and that the board may form a complete unit to manage the fair. While it is necessary to have the exhibitors bring their exhibits, yet the financial success of the state fair depends largely upon the qualifications and ability of the members of the board, and it is the opinion of this committee that a change from the present system of electing the members of the board by the whole convention to the district plan would be detrimental to the success of the fair and might seriously cripple it.

The investigation further developed that the officers and members of the board have not been guilty of any financial irregularities or misconduct, but their method of keeping the books and records can be improved upon, as suggested in the report of the engineers herewith submitted, the original having been filed with the secretary of state.

The committee further finds that the pass system ought to be abolished, and unless the General Assembly desires to legislate on this specific question, this committee will instruct the board to abolish all passes, except that the following persons may be admitted free of charge during the fair under proper regulation and strict supervision: The officers, members of the board and employees of the fair; the officers of other state fairs; the exhibitors upon the payment of $2.00 each for a season ticket; all the necessary help required to take care of their exhibits; the concessionists and their necesary help.

The investigation developed that to compel these persons to pay admission would create such a prejudice against the fair as to endanger its success. Only one state in the Union, Ohio, has completely abolished all passes of any kind, and their system has been severly criticised. (See page 9 of testimony of A. R. Corey.)

The committee further approves the adoption of all the recommendations contained in the report of Quail, Parker & Company on page 16, except recommendation No. 1, which suggest reducing the number of the members of the board. The members of the board receive no pay except their per diem and traveling expenses. If the number of the board is reduced it will be necessary to employ competent and efficient help to take care of the different departments, and the employment of such help would undoubtly involve a larger expenditure that what is now paid to the members of the board.

With reference to the recommendations 2 to 9 inclusive your committee advises you that it is their understanding that your committee has authority to adopt and enforce said recommendations, and your committee will, unless by appropriate action you express your disapproval, adopt and enfore said recommendation.

Your committee further calls your attention to the fact that under authority of the legislature, Quail, Parker & Co., have for some time been engaged in a careful examination of the various departments of state government, and that while it will be impossible to complete such investigation before the legislature adjourns, the investigation has proceeded far enough to make it clear that such investigation will open the way to very large savings to the state in economy and efficiency.

Your committee further suggest that not only will it be impossible to complete such investigation before the legislature must in the nature of things adjourn, but that the work of making the necessary laws regulating the enforcement of advanced business methods for state administration cannot well be done by any legislature while harrassed and burdened with ordinary legislation. We therefore recommend completion of the regular work of this session, and that when such work is ended, we adjourn until November, by which date a full report upon all matters placed with said accountants will be completed, and that we then reassemble, and without expense to the state, and unhampered by other duties, give careful and faithful and undivided attention to a readjustment and reorganization of our state business methods to such extent as may be deemed advisable and necessary upon full consideration.

Herewith we submit and offer for your consideration a resolution for action upon and along the lines above suggested.

J. H. ALLEN,
JOSEPH MATTES.
L. E. FRANCIS,
GERRIT KLAY.
JOHN W. JACOBS.
WM. LABRABEE, JR.

The committee on Retrenchment and Reform presented the following concurrent resolution:

CONCURRENT RESOLUTION.

Whereas, the committee on Retrenchment and Reform has been by this legislature authorized to, and under such authority has employed expert accountants and efficiency engineers who have been for some time and now are, engaged upon the performance of the duties for which employed; and

Whereas, said expert accountants and efficiency engineers have not yet completed the service for which employed and cannot so complete within the period to which this session will extend; and

Whereas, the work of said accountants and engineers has proceeded far enough so that it is clearly apparent that a reorganization of the various departments under consideration by said accountants and engineers will be of great saving to the state in service, efficiency and money; and

Whereas, the maters to be covered by the report of said accountants and engineers should receive the immediate attention of the legislature.

Now therefore, be it resolved by the House, the Senate concurring:

Section 1. That when the final adjournment of the Senate and House be taken it be until Tuesday, October 21st, 1913.

Sec. 2. That the desk employes, sargeant-at-arms and chief doorkeeper be required to appear at said time, and all other employes of Senate and House be excused.

Sec. 3. That the members of the Senate and House return for further service upon the date named without expense to the state in service or mileage.

Sec. 4. That the joint committee upon retrenchment and reform are hereby directed to prepare an abridgement of the report of said accountants and engineers, print same and furnish copies thereof to each member of the legislature at least thirty days prior to the date of reconvening, together with the recommendations of said committee.

Sec. 5. The expense of printing and distribution shall be presented at said adjourned session for action by the legislature.

The committee on Retrenchment and Reform submitted the following report of Quail Parker and company, expert accountants and asked that it be printed in the Journal.

DES MOINES, IOWA, MARCH 25, 1913.

The Joint Committee on Retrenchment and Reform of the Senate and House of the Thirty-fifth General Assembly of the State of Iowa.

GENTLEMEN:—In pursuance of contract dated February 5, 1913, and of specific instructions thereunder, we herewith present an interim report on the investigation of the Department of Agriculture—particularly referring to the accounts and transactions relative to the state fairs for the years 1912 and 1911—together with statements in support thereof as enumerated in the appended index.

ORIGIN—CONSTITUTION—APPROPRIATION.

The Department of Agriculture was created by legislative enactment of the Twenty-eighth General Assembly in the year 1900, and the section of the statute reads as follows:

"Department of Agriculture.—For the promotion of agriculture, horticulture, forestry, animal industry, manufactures, and the domestic arts, there is hereby established a department to be known as the 'department of agriculture,' which shall embrace the district and county agricultural societies organized or to be organized under existing statutes and entitled to receive aid from the state, the state weather and crop service, and the offices of the dairy commissioner and the state veterinarian. (Sec. 1657-b, Supp. 1907)."

This enactment took effect July 4, 1900, and at the same time various prior enactments relative to the Iowa State Agriculture Society and the several county societies were repealed (Sec. 1657-a, Supp. 1907). The Iowa State Agriculture Society was founded in the year 1853, the first state fair having been held in October 1854, and while primarily supported by means of membership subscriptions and admission fees, it, together with the several county societies, was encouraged and aided at various times by small appropriations from the state.

The management of the department is vested in a board termed the "State Board of Agriculture." of which the governor, the president of the State Agricultural College and Mechanic Arts, the State Food and Dairy Commissioner, and the State Veterinary Surgeon are ex-officio members; and the other members, who are elected at the agricultural convention held at the Capitol on the second Wednesday in December in each year, comprise a president, vice-president, secretary, treasurer, and one director from each congressional district.

The duties of this board as defined by the statute are as follows:

"Duties of Board.—The board shall have general supervision of the several branches, bureaus and offices embraced in the department of agriculture; and it shall be the duty of the board to look after and promote the interests of agriculture, of agricultural education and animal and other industries throughout the state; to investigate all subjects relating to the improvement of methods, appliances and machinery, and the diversification of crops and products, also to investigate reports of the prevalence of contagious diseases among domestic animals, or destructive insects and fungus diseases in grains, and grasses and other plants, the adulteration of foods, seed and other products, and to report the result of investigation, together with recommendations of remedial measures for prevention of damage resulting therefrom. It shall be the duty of the Iowa agricutural experiment station to co-operate with the department of agriculture in carrying on these investigations. (Sec. 1657-g, Supp. 1907)."

The president, vice-president and secretary are constituted an executive committee, which is empowered to transact such business as may be delegated thereto by the board; and the president may call meetings of the board when the interests of the department require it. The board elect a secretary for the term of one year, whose duties are such as usually pertain to that office, under the direction of the board; and the appropriations and directions for the support of the department, as defined by the statutes, are as follows:

"Office—Supplies—Salary of Secretary and Assistant.—The office of the department of agriculture shall be in rooms numbers eleven (11) and twelve (12), in the capitol building; the said office shall be entitled to such supplies, stationery, postage and express as may be required, which shall be furnished by the executive council in the same manner as other offices are supplied. The salary of the secretary shall not exceed eighteen hundred dollars ($1,500) per annum; and when the board deem it necessary it may employ an assistant at an expense of not more than seventy-five dollars ($75) per month. (Sec. 1657-n, Supp. 1907).

"(The amendment by the 31st General Assembly was by striking out the word 'fifteen' in line 6 and inserting in lieu thereof the word 'eighteen,' but the figures '($1,500)' were unchanged.)"

"Treasurer—Duties—Bond—Compensation. The board shall elect a treasurer for a term of one year, whose duties shall be to keep a correct account of receipts and disbursements of all moneys belonging to the department of agriculture, and shall make payments only on warrants signed by the president and secretary thereof, except in payment of premiums. He shall execute a bond for the faithful performance of his duty, to be approved by the board and filed with the secretary, and shall receive such compensation for his services as shall be fixed by the board, not exceeding one hundred dollars per annum. (Sec. 1657-o, Supp. 1907.)"

"Compensation of Elective Members. The elective members of the state board of agriculture, for attending the meetings of the board, and for the special work pertaining to the holding of the state fair shall be allowed four dollars ($4) per day and five cents per mile in going and returning from the place where the business is transacted, the claim for which shall in all cases be verified and paid as provided in section (8). (Sec. 1657-p, Supp. 1907)"

"Finance Committee—Report—Compensation. Prior to the annual convention of the department of agriculture the state accountant, provided for in section one hundred sixty-one-a (161-a) of the supplement to the code 1907 shall examine and report upon all financial business of the department of agriculture, said report to be made to the executive council. Such report shall be edited under the direction of the executive council and be published in accordance with the provisions of section one hundred sixty-three (163) of the code and acts amendatory thereof." Approved February 23, A. D. 1909 (Ch. 107, 33 G. A.)

"Amounts Appropriated. There is hereby appropriated annually from and after the first day of January nineteen hundred and one (1901) for the support of the office of the department of agriculture, twenty-four hundred dollars ($2,400) and for insurance and improvements of buildings on the state fair grounds the sum of one thousand dollars ($1,000) or as much thereof as shall be necessary, and the auditor of state shall draw a warrant therefor upon the order of the department of agriculture signed by the pesident and secretary thereof, in such sums and at such times as the board shall deem necessary. The state shall not be liable for the payment of any premiums offered by the state board of agriculture, nor for any expenses or liabilities incurred by said board, except, as expressly provided for in this act. (Sec. 1657-t, Supp. 1907.)"

"State Fair.—The board shall have full control of the state fair grounds and improvements thereon belonging to the state, with requisite powers to hold annual fairs and exhibits of the productive resources and industries of the state. They may prescribe all necessary rules and regulations thereon. The board may delegate the management of the state fair to the executive committee and two or more additional members of the board; and for special work pertaining to the fair they may employ an assistant secretary and such clerical assistance as may be deemed necessary. All expenditures connected with the fair including the per diem and expenses of the managers thereof, shall be recorded separately and paid from the state fair receipts. The said board of agriculture shall have the power to authorize or forbid the construction of street railways within the state fair grounds and may define the motive power by which the cars thereon shall be propelled and to authorize or forbid the location and laying down of tracks for street railways in said grounds. (Sec. 1657-i, Supp. 1907.)"

Although the enactment creating this department (Sec. 1657-l, Supp. 1907) specifically defines the activities embraced thereby, we have so

far been unable to ascertain that the State Board of Agriculture exercises any control whatsoever over the offices of the dairy commissioner and the state veterinarian, and furthermore in the special enactments relating to these two departments no mention is made of any supervision or control by the Department of Agriculture. The enactments relative to district and county societies, and the state weather and crop service are as follows:

"State Aid to District or County Society. Any county or district agricultural society, upon filing with the auditor of state affidavits of its president, secretary, and treasurer showing what sum has actually been paid out during the current year for premiums, not including races, or money paid to secure games or other amusements, and that no gambling devices or other violations of law were permitted, together with a certificate from the secretary of the state society showing that it has reported according to law, shall be entitled to receive from the state treasury a sum equal to forty per cent of the amount so paid in premiums up to five hundred dollars, and ten per cent additional of the amount paid in premiums over five hundred dollars, but in no case shall the amount paid to any society exceed the sum of three hundred dollars. When any society fails to report, according to law, on or before the first day of November, that society shall not receive a warrant from the state auditor for that year, but the secretary of the state board of agriculture shall notify the county auditor of the county in which the society is located of such failure, and the board of supervisors may appoint a delegate to the annual meeting or state agricultural convention, said delegate to be a resident of said county. (Sec. 1661-a, Supp. 1907); (Ch. 108, 33 G. A.)"

"State Weather and Crop Service—Appropriation. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, the sum of two thousand seven hundred dollars annually, to be drawn and expended upon the order of the president and secretary of the department of agriculture for such service, including the salary of the director, which shall not exceed fifteen hundred dollars per annum. (Sec. 1681, Supp. 1907.)"

The expenditures under these two appropriations are checked in this department and certified by the president and secretary before warrants are issued—the director of the state weather and crop service presenting an account monthly for his salary ($125.00), his stenographer ($60.00) and his incidental expenses—but no record thereof is made in the financial books kept in this department.

STATE FAIR FINANCIAL POSITION.

The fair grounds, consisting of some 280 acres, were originally purchased for about $50,000.00 by subscriptions raised by the citizens of Des Moines in 1885, and about the same time the state appropriated $50,000.00 for the erection of buildings thereon and the general improvement thereof. We have taken this $100,000.00 as the fundamental basis of the

present approximate value, and after examining the whole of the expenditure hereon from December 1, 1901, to November 30, 1912, we have prepared an approximate statement of the financial position as at November 30, 1912, November 30, 1911, and November 30, 1910, wherein we have set up the original $100,000.00 plus the further expenditures hereon as representing the cost of the permanent improvements as at these dates. This statement is presented in Exhibit "A," and the following is a summary thereof:

Assets.

	1912	1911	1910
State fair grounds and permanent improvements	$809,227.15	$741,476.08	$633,870.03
Inventories	.....	.....	.....
Current resources	2,010.46	26,781.55	8,558.44
Contingent resources	2,015.59	2,724.39	2,701.61
	$813,253.20	$770,982.02	$645,130.08

Liabilities.

Current obligations	$ 146.15	$ 308.45	$ 307.47
Unexpended appropriations	1,275.00	8,275.00	1,275.00
Surplus, or present worth	811,832.05	762,398.57	643,547.61
	$813,253.20	$770,982.02	$645,130.08

ASSETS.

State Fair Grounds and Permanent Improvements.—In Schedule "1" we present a statement of fair grounds and permanent improvements expenditure for the twelve months ended November 30, 1912, and November 30, 1911, in which the approximate cost of the main buildings, etc., is duly set forth. The undistributed expenditure represents material, labor, supplies, loose tools, etc., and expense items prior to November 30, 1910 which are not segregated on the records and which it is now a matter of impossibility to charge to specific buildings, etc., together with additions to loose tools, implements, etc., amounting to $1,284.50 and $912.92 for the years 1912 and 1911 respectively.

During the twelve months ended November 30, 1912, amounts aggregating $1,861.16 were realized at an auction sale of certain lots and houses, and amounts aggregating $1,444.33 were realized on the sale of part of the power plant. A further amount of $1,066.47 was also realized on the sale of part of the power plant during the twelve months ended November 30, 1911. We are informed that the prices realized on the power plant sales were in accordance with the valuation made by a local appraiser. As the records do not disclose the cost of the specific lots, houses and power plant disposed of, no adjustment has been made for

the difference between that amount and the sums realized as stated above. The power plant which we are informed, is no longer used, is represented in the permanent improvements as at November 30, 1912, at the sum of $14,748.70, but as no inventory has been made of the machinery, etc., remaining in or belonging to the power building, it is impossible to even estimate the loss arising through the dismantling of this property.

The amount of $1,699.18 included under the caption of undistributed expenditure for committee expenses, represents per diem and mileage charged by certain members of the Board for attending meetings at the office of the department; expenses of visits to various state fairs; and expenses attending special committee meetings for legislative work connected with obtaining appropriations; the purchase of improvements; the study of other state fair grounds preliminary to having plans drawn, and procuring attractions.

The amounts included under the caption of undistributed expenditure for loose tools, implements, teams, etc., represent the cost thereof, but as no detailed inventory has been made of the items comprised therein, the officials of the department are consequently unable to state whether all such items are now in existence. This condition is primarily due to the lack of proper accounting system, further remarks as to which will be found in a later part of this report. Having regard to the amount of wear and tear these items are subject to, and to the fact that no amount has been charged off the original cost thereof for depreciation, a physical appraisal could not be expected to substantiate these values.

The original contracts for the erection of the main buildings, together with the architects certificates supporting the payments therefor, have been submitted to us, and we are informed that, with one exception, no contract has been awarded, in connection with which, the proposals were not advertised and bids obtained in customary manner. The exception referred to was in connection with the erection of the cross-section of the horse barn which was required at very short notice and for which the board has not the requisite amount of time wherein to advertise the proposals in the usual way.

Inventories.—No inventories have been taken of the lumber, hardware, forage or general supplies on hand at the fair grounds. In addition to the lumber and supplies obtained by purchase in the usual manner, large quantities of these materials have been salved from time to time from the wreckage of various buildings on the grounds, but no record has been made of the quantity or value of such materials and consequently it is a matter of impossibility to obtain any definite information as to whether the department has had the sole use or benefit of all such materials. We are informed that no large quantities of the above mentioned commodities are purchased except for specific purposes, but, as in the case of the salved materials, no systematic record is kept of the receipts and issues thereof.

Current Resources.—These comprise the following:

	1912	1911	1910
Annual appropriation, balance	$ 1,275.00	$ 1,275.00	$ 1,275.00
Special appropriation, balance	.....	7,000.00	.....
Cash at bank	615.63	18,036.99	7,283.44
Accounts receivable	119.83	469.56	.....
	$ 2,010.46	$ 26,781.55	$ 8,558.44

The annual appropriation is drawn against monthly and is dealt with specifically in a later part of this report, the balances as above represent the amounts undrawn in respect of the appropriations to the following June 30th; the close of the state's fiscal year. The special appropriations balance as at June 30, 1911, represents the amount undrawn in respect of the special appropriations made by the Thirty-fourth General Assembly (34 G. A. ch. 193, sec. 1). We verified the cash at bank as at November 30, 1912, and November 30, 1911, by certificate obtained from the Iowa Trust and Savings Bank, the vice-president of which, G. S. Gilbertson, is treasurer of the Board of Agriculture, and in Schedule "2" we present a statement of receipts and disbursements for the twelve months ended November 30, 1912, and November 30, 1911, which is a summary of the transactions on this bank account. The accounts receivable represent a variety of small items appertaining to the respective periods but not collected as at November 30th.

Contingent Resources.—These comprise the unexpired insurance premiums as at November 30, 1912 ($2,015.59), November 30, 1911 ($2,724.39), and November 30, 1910 ($2,701.61). The fire and tornado insurance is carried on three-year policies, and, as the premiums thereon are paid in advance we have computed the value of the unexpired premiums as above pending their transfer as the policies expire.

LIABILITIES.

Current Obligations.—These comprise the accounts payable which represent a variety of small items outstanding, but appertaining to the periods ended November 30, 1912, November 30, 1911, and November 30, 1910, respectively.

Unexpired Appropriations.—These comprise the following:

	1912	1911	1910
Annual balances to June 30, 1913, 1912, and 1911	$ 1,275.00	$ 1,275.00	$ 1,275.00
Special, balance thereof	.....	7,000.00	.....
	$ 1,275.00	$ 8,275.00	$ 1,275.00

These items represent the amounts undrawn in respect of the appropriations made for the state fiscal years ending June 30, 1913, June 30, 1912, and June 30, 1911, respectively.

Surplus or Present Worth.—The total of the items set forth under this caption represent the excess of the assets over the liabilities on the respective dates, and details of the same are as follows:

Subscriptions, city of Des Moines, 1885	$ 50,000.00	
Special appropriations to November 30, 1910	309,000.00	
Accumulated net income to November 30, 1910	284,547.61	
Total, November 30, 1910		$643,547.61
Special appropriations to November 30, 1911	$ 78,000.00	
Net income twelve months ended November 30, 1911	40,850.96	118,850.96
Total, November 30, 1911		$762,398.57
Special appropriation to November 30, 1912	$ 7,000.00	
Net income twelve months ended November 30, 1912	42,433.48	49,433.48
Total, November 30, 1912		$811,832.05

This surplus of $811,832.05 as at November 30, 1912, is of course based primarily on the approximate valuation of the fair grounds and permanent improvements as at that date set up by us, but in justice to the department an independent appraisal of these assets should be made, before the Board is charged with and held accountable for their value, under any improved system of accounting and control which may be ultimately decided upon.

The special appropriations made by the respective general assemblies are as follows:

State legislature for erection of buildings and improvement of fair grounds in 1885	$ 50,000.00	
Twenty-ninth general assembly for erection of live-stock pavilion (29 G. A., ch. 184)	37,000.00	
Thirtieth general assembly for erection of agricultural building (30 G. A., ch. 150)	47,000.00	
Thirty-second general assembly for erection of swine barn and show ring (32 G. A., ch. 204)	75,000.00	
Thirty-third general assembly for erection of amphitheatre, and removing track and barns (33 G. A., ch. 242)	100,000.00	
Total, November 30, 1910		$309,000.00

Thirty-fourth general assembly for the following purposes (34 G. A., ch. 193):

Additional land and lots ($12,000.00)	$ 5,000.00	
Machinery hall	65,000.00	
Sanitary toilets	8,000.00	78,000.00
Total, November 30, 1911		$387,000.00

Thirty-fourth General assembly, balance for additional land and lots	7,000.00
Total, November 30, 1912	$394,000.00

On reference to Exhibit "A" and Schedule "1" the manner in which these appropriations, together with the net income for the twelve months ended November 30, 1912, and November 30, 1911, have actually been expended will readily be observed from the columns denoting the increases and decreases of the various items set forth therein.

STATE FAIR OPERATIONS.

We have made a thorough examination of the whole of the records appertaining to the operations of the Board of Agriculture for the twelve months ended November 30, 1912, and November 30, 1911, respectively, and in Exhibit "B" we present an income and expenditure account comprehending these two periods of which the following is a summary:

	1912	1911
State fair income	$180,936.67	$174,909.95
State fair operating expense	139,021.23	$133,150.11
Net income state fair	$ 41,915.44	$ 41,759.84
Miscellaneous income	10,680.98	3,476.88
Total income	$ 52,596.42	$ 45,236.72
Other expenditure	10,162.94	4,385.76
Net income, or surplus	$ 42,433.48	$ 40,850.96

State Fair Income.—We compared the various items of income during the above periods with documentary and other evidence submitted for our inspection, and taking the various captions thereof seriatim, we have to comment as follows.

Live Stock Exhibits.—These comprise the following:

	1912	1911
Horse department, stall rent	$ 1,745.00	$ 1,729.00
Cattle department, stall rent	988.00	1,146.00
Sheep department, pen rent	138.00	170.00
Poultry department, coop rent	731.45	658.05
Swine department, pen rent	1,076.00	1,206.00
	$ 4,678.45	$ 4,909.05

The charges in the horse department are 2.00 per single stall, $4.00 per box stall, and $1.00 per pony stall; in the cattle department $2.00 per single stall; in the sheep department $1.00 per pen; in the poultry department $1.00 per coop, and —or 25 cents per bird; and in the swine department $1.00 per pen. The superintendents individual departmental records, containing lists of the exhibitors and the amount of the rental collected therefom for the twelve months ended November 30, 1912, and November 30, 1911, respectively for the above departments, were produced to us, and while the amounts stated to have been collected by each superintendent for the rent set forth above were found to be in agreement with the aggregate income from such sources entered in the receipts book, it is a matter of impossibility to state whether the amounts so accounted for properly represent the income actually derived from these sources, owing to the total absence of proper accounting methods.

Agriculture Exhibits; Dairy Exhibits; Fine Arts Exhibits; and Machinery Exhibits. The rentals in these departments are based on the amount of superficial space occupied—in the case of fine arts and machinery exhibits, 5 cents per square foot, and we have verified the correctness of the income accounted for on the records for these two departments. The duplicate contracts for the space occupied by the individual exhibitors in the machinery department were not signed, however, on behalf of the lessees. We have been unable to verify the correctness of the income derived from the exhibits in the agricultural and dairy departments owing to the fact that no definite rule appears to have been enforced regarding the charges for space therein, this matter apparently having been left to the discretion of the respective superintendents. The total income entered in the superintendents departmental records agrees in the aggregate with the amount entered in the receipts book, but our previous comments as to lack of proper accounting methods apply also to these departments.

Dog Show.—This feature was introduced for the 1912 state fair through the medium of the Greater Des Moines Kennel Club, and the income derived therefrom comprises the entry fees together with admission receipts, advertising, etc. We have verified the correctness of the admission receipts ($1,222.95) by examination with the tickets issued and returned records, but we have been unable to verify the correctness of the entry fees ($274.75) and sundry receipts ($103.48) as the department does not possess any documentary evidence of a satisfactory character.

Concessions and Privileges.—The amounts turned over by the superintendent of this department are in agreement with the entries in the receipts book, but the evidence placed at our disposal for the verification thereof, has been of an unsatisfactory character inasmuch as the amount called for by the individual contracts with certain of the concessionaires has not always been accounted for, and furthermore, in certain instances, the signature of the concessionaire has not been obtained to the contracts, thereby rendering these documents useless as a means of verification. We are informed that the dicrepancies between the contract

prices and the amounts turned over by the superintendent are due in some cases to the abandonment of the privileges by the concessionaires, and in other cases to reductions in the prices made by the superintendent acting within his discretionary power granted by the Board. The individual amounts payable by the concessionaires under their contracts are fixed by the superintendent of this department, the Board leaving the matter of the consideration payable thereunder entirely in his hands, and we are informed that it is impracticable for the Board to fix definite prices beforehand, at which the concessions and privileges are to be granted, owing to the peculiar conditions under which this department operates. We verified the income derived from the concession granted to the Reiss Shows, which was fixed at 35 per cent of the admissions thereto for the year 1912, but we have been unable to verify the income derived from the concession granted to the Hatch Shows for the 1911 fair, as the unused admission tickets have been destroyed.

Entry Fees, Races.—The amounts turned over by the superintendent of the racing department have been verified with the details of entry fees in the American Trotting Association's record of races, and comprise the receipts under this caption, being 3 per cent of the amount of the purse offered in all harness races plus 5 per cent additional from money winners, and $5.00 for each entry in running races.

Sale of Forage.—The amount included under this caption is derived from the sales of forage to exhibitors and others during the fair, but no satisfactory evidence has been produced to us in support of the amounts turned over to the treasurer by the superintendent. No record is kept of quantities purchased and sold, and no account of the sales is submitted to the Board. The matter of the inventory of forage on hand at the conclusion of the fairs has already been referred to in an earlier part of this report.

Advertisements, Premium List.—The income derived from this source is based on the following classification: inside of cover, $40.00; full page, $25.00; half page, $15.00; quarter page, $7.50, and cards each $3.50. We have verified the amount receivable in this connection with the actual space taken in the premium lists each year, and find the same in agreement with the amounts entered in the receipts book.

Dairy Department, Sales of Ice Cream, etc.—The amount included under this caption represents the net proceeds of the sales of ice cream, etc., during the fair, and the only evidence in support of the receipts entered on the records are the statements of the sales and purchases and expenses, rendered by the superintendent of this department. We understand the daily takings are recorded on a cash register but no effort is made by the Board to verify the correctness of the statements as rendered by the superintendent.

Public Safety Department, Fines, Etc., and Miscellaneous Receipts.—The amounts included hereunder are as per the records but as in the cases of the other departments previously referred to, the lack of proper accounting precludes any verification thereof.

Exhibitors Tickets.—The income shown under this caption is derived by a charge of $2.00 for each ticket issued to individual exhibitors and has been verified by examination of the register of exhibitors, and in addition in the case of the year 1912, by examination of the tickets issued records. These tickets entitle the holders thereof to admission to the fair grounds during each day of the fair, and in effect, take the place of a charge for entering the exhibits.

Ticket Sales.—We found it impossible to verify the amount of the ticket sales for the year 1911 as the tickets issued but not sold have, we are informed, been destroyed. We are, however, also informed that an examination of the ticket sales for that year was made by the ticket audit committee, but no record of the result of such examination has been submitted to us. We have made a thorough examination of the ticket sales for the year 1912 and find the following discrepancies in the number of tickets returned as unsold to the secretary:

Day admission, 50 cents each; 500 short, value	$ 250.00
Childrens admission, 25 cents; 10 short, value	2.50
Half-fare admission, 25 cents each; 10 short, value	2.50
Bleachers admission, 25 cents; 9 short, value	2.25
	$ 257.25

Complimentary and Free Tickets.—In Appendix "I" we present a statement of complimentary and helpers tickets, issued by the secretary for the twelve months ended November 30, 1912, and November 30, 1911, and in Appendix "II" we present a statement of complimentary and helpers tickets issued by the officers of the Board and department superintendents for the twelve months ended November 30, 1912, and November 30, 1911. The information contained therein is as per the records but the department does not possess any evidence whereby the correctness thereof can be verified.

State Fair Operating Expense. The classification of this expenditure together with the respective amounts thereof for the twelve months ended November 30, 1912, and November 30, 1911, will be found on reference to Exhibit "B." We have examined the returned warrants issued and all claims in connection with the expenditure for the above mentioned periods and find the amounts entered on the records to be in agreement therewith.

Under the statutes defining the powers and regulating the duties of the Board of Agriculture, the executive committee consisting of the president, vice-president and secretary are empowered to pass on all expenditure incurred by the department. We have examined the records relating to the proceedings at the meetings of this committee and find that all expenditure during the twelve months ended November 30, 1912, and November 30, 1911, has been duly approved for payment. This expenditure has also been approved by the auditing committee but we

find that in certain cases pay rolls for labor at the fair grounds have been approved without the proper O. K. of the superintendent of the department being thereon.

In Schedules "3," "4," "5," and "6," will be found details supporting the amounts appearing under the caption of state fair operating expense, for department expense, miscellaneous expense, salaries and cash premiums respectively. The pay rolls for the employees of the departments enumerated in Schedule "3" are in accordance with the reports of the respective superintendents. The number of employees engaged and the respective duties thereof are at the discretion of the department superintendents, and we are informed that in no case has an employee received payment for services not rendered, or remained on the pay roll longer than was absolutely necessary. The superintendents per diem contains items fo services rendered by the secretary of the Agricultural Department; the Food and Dairy Commissioner and the Secretary of the Horticultural Society.

The executive committee meeting; special committee meeting and board meeting expenses include per diem and mileage charges of the various members and officials for meetings held at the capitol, together with actual traveling and hotel expenses for meetings, etc., attended out of the state, the claims for which have been duly approved by the executive committee. Further comments relative to the traveling and hotel expenses for meetings, etc., attended out of the state will be found in a later part of this report.

The items included herein for express, telegraph and telephone, postage, printing and advertising are, in our opinion, properly chargeable hereto. The postage and printing includes the cost of preparing and mailing the various publications issued by the department, and the advertising represents the cost of publishing the notices connected with the fair over all parts of the state and in various newspapers, etc., outside the state, the expenditure for which is decided upon by the Board and which, in the opinion thereof is undertaken in the best interests of the state fair generally. In addition to these charges various other items of expenditures are made out of the appropriations as per sections 164 and 165 of the Code, and supplies are also received from the state printer and the state binder.

In Schedule "4," we present a statement of the miscellaneous expense for the twelve months ended November 30, 1912, and November 30, 1911. We would call attention to the items included therein for rent of tents, awnings, cots, etc.; plants and flowers, and hauling manure. The purchase outright of the tents, awnings, etc., would result in the saving of this expense; the plants and flowers are not considered as being of any value at the conclusion of the fair and no account is rendered as to the disposition thereof; and the reduction in the cost of hauling manure in 1912 arose through the department letting the contract therefor to an outside party.

A summary of the cost of music and attractions for the twelve months ended November 30, 1912, and November 30, 1911, is contained in the following statement:

	1912	1911
Fireworks	$ 2,250.00	$ 6,500.00
Music—bands and orchestras	6,760.00	6,881.00
Aeroplane exhibitions	1,477.82	4,583.33
Vaudeville shows	2,950.00	2,550.00
Sheep, dog exhibitions	.....	560.05
Electric tandem	.....	750.00
Cheyenne show	12,000.00	.....
Miscellaneous	1,301.63	2,521.40
	$ 26,739.45	$ 24,345.78

In Schedule "5" we present a statement of office salaries, permanent employes and temporary employes, for the twelve months ended November 30, 1912, and November 30, 1911, from which it will be observed that the salaries paid in the department in excess of the appropriations amounted in 1912 to $4,1065.82, and in 1911 to $2,740.75. We give below copies of resolutions passed by the Board of Agriculture in connection with the employment of extra assistance:

Under date of February 21, 1908: "The following resolution with reference to the management of the Iowa State Fair and Exposition was reported by the special committee and upon roll call adopted by a unanimous vote: Resolved,

"That the general management of the Iowa State Fair and Exposition be delegated to the executive committee as provided in section 1657, i, chapter 3, of the supplement of the code of Iowa, and that said executive committee be and is hereby authorized to employ a secretary or clerk at a salary of not to exceed twelve hundred dollars ($1,200.00) per year, said salary to be paid from the receipts of the State Fair and Exposition."

Under date of February 22, 1908: "J. C. Simpson was employed as clerk to the executive committee at a salary of $1,200.00 per annum, payable monthly by warrant drawn upon the treasurer, time of beginning of his services to date from February 1, 1908.

Under date of February 11, 1910: "Resolved, that the executive committee be authorized and instructed by and in behalf of this Board to fix the compensation of Secretary Simpson for extra services as member of and clerk to the said executive committee for the Iowa State Fair and Exposition at eighteen hundred dollars per annum payable monthly."

The compensation as fixed by resolutions as above was additional to the salary drawn by the then secretary as provided by 28 G. A., ch. 58, sec. 13, and 31 G. A., ch. 67.

The items included hereunder for forage purchased have already been referred to under the caption of inventories in an earlier part of this report.

The expenditure included hereunder for fair grounds department represents the labor employed thereon, and the classification thereof is as per the records as derived from the actual pay rolls. The supervision and employment of all labor represented thereby comes within the duties of the superintendent of grounds, whose O. K. as to the rate of pay and the amount of wages earned by the individual employes is accepted by the Board, but we are informed that reports as to all labor requirements and conditions are submitted by the superintendent thereto. The pay rolls with accompanying vouchers have been produced to us, and we find that the O. K. of the superintendent has not been made on the individual time tickets of the employes in certain cases. The amounts stated to have been earned by the employes as per the pay rolls are in agreement with the amounts paid therefor but, other than the supervision exercised by the superintendent, no effort is made to ascertain if the department derives all the benefits which should accrue in this connection.

In Schedule "6" we present a statement of cash premiums, and Breeders' Association premiums for the twelve months ended November 30, 1912, and November 30, 1911; and disbursements thereof is as per the award records which have been produced to us.

Miscellaneous Income.—This comprises fees, division of horse breeding; collections—use of grounds; interest on monthly balances, scholarship refund; telephone and miscellaneous. The fees, division of horse breeding, represent the collections for the registration of all grades of stallions and jacks in the state, and the increase in the amount thereof during 1912 is due to the enforcement of new regulations whereby all grades of these animals require to be registered, whereas formerly, only the pure bred animals were registered. The amount so collected has been verified with the records in that division of the department. Collections—use of grounds, which include stall and pasture rent; lumber sales; rental of grounds, and miscellaneous, are as reported by the superintendent of grounds, who collects all such items. The records do not provide any check upon the amounts so collected, and owing to the lack of a proper accounting system, it is impossible to state whether all collections have been properly accounted for. The amount of the interest on the monthly balances has not been verified by us, as no monthly statements are issued to the department by the Iowa Trust and Savings Bank and the department accepts the amount accredited without question.

Other Expenditures. This comprises fair grounds maintenance, details of which are set forth in schedule '7"; salaries and expenses, division of horse breeding—details of which are shown in schedule "5"; annual meeting, per-diem and mileage; stationery and office supplies; insurance premiums; animal industry committee expense; sale

of lighting plant, expenses; pay roll—wrecking old buildings; pay roll—June race meeting; pay roll—firemens tournament; pay roll —planting rented grounds, and miscellaneous. The fair ground maintenance consists mostly of labor, and our comments as to the pay roll and supervision thereof for the fair grounds department, apply equally in connection with this expenditure, and also to the other pay roll expenditure mentioned in this paragraph. Salaries, division of horse breeding, have already been commented upon in an earlier part of this report.

Net Income. This amounts to $42,433.48, and $40,850.96 for the twelve months ended November 30, 1912, and November 30, 1911, respectively, and is carried to the credit of surplus or present worth as has already been noted in an earlier portion of this report.

PER DIEM AND MILEAGE CHARGES.

In Appendix III we present a statement of the expenses charged by members of the Board and officials of the department for out-of-state meetings during the periods under review, and in all cases the actual charges are less than the amounts allowable by law. In Appendix IV we present a statement of the amounts paid to members of the board, officials of the department, and the department superintendents at the State Fair; and the amounts included therein comprise the whole of the per diem and mileage payments for the twelve months ended November 30, 1912 and November 30, 1911.

CONCLUSIONS AND RECOMMENDATIONS.

The Board of agriculture is responsible and presumably accountable for assets of approximately $800,000.00 in value, and also for the administration of the State Fair funds which now amount to nearly $200,000.00 annually; yet. as this report demonstrates, when called upon to render an account of its stewardship, it is a matter of impossibility to prepare a true and correct statement of the financial position without recourse to an appraisal and inventory, and in addition the records of the administration of the State Fair are of such a nature as to preclude any satisfactory verification thereof.

The accounting methods are of the crudest description and no commercial concern could continue to exist under similar conditions. The only attempt at bookkeeping is comprised in chronological records of receipts and payments. No ledger accounts are kept of the assets created by expenditures on permanent improvements, and prior to 1910 (see schedule "2") no distribution of material and labor, expended by the Board itself under this caption, has been made in the records.

Speaking generally the records kept in the department fail entirely to provide the necessary data and information whereby the due ac-

counting of all income can be properly assured; and also whereby the consideration, which is presumably obtained for all disbursements, can safely be said to have been enjoyed solely thereby. Furthermore as no record is made of the amounts received in respect of annual appropriations (with the solitary exception of the $1,000.00 per annum for insurance &c., twenty-eighth General Assembly, chapter 58) it is a matter of extreme difficulty to arrive at the correct annual cost of operating the department, and this disability is accentuated by the fact that the fiscal year does not coincide with that of the state.

Reference to the printed report of the executive council for the period from June 30, 1910 to July 1, 1912 (pages 459 to 466) discloses that the sum of $28,944.92 was disbursed in respect of the department of agriculture under various annual appropriations during that period, particulars of which are as follows:

Salaries	$ 4,725.00
Furniture and stores	1,209.88
Telephone and telegraph	51.90
Express, freight and cartage	78.49
Farmers' institute and short courses	13,430.93
Miscellaneous expense	1.75
Printing by state printer	4,075.08
Binding by state binder	3,036.33
Engraving	55.46
Stock used by state printer	909.36
Supplies from supply department	1,370.74
Total	$ 28,944.92

None of the above disbursements are entered in the records kept in the department, therefore, while a net income of some $40,000.00 is being realized annually, the state is at the same time subsidizing the department to the extent of $14,500.00 per annum; and in addition is furnishing the funds for operating the weather and crop service, which, according to the report of the executive council for the period from June 30, 1910 to July 1, 1912, (pages 467 to 471) amounted to $7,620.03, made up as follows:

Salaries	$4,330.00
Miscellaneous expense	907.47
Printing by state printer	2,021.06
Binding by state binder	139.50
Stock used by state printer	222.00
	$7,620.03

The department of agriculture is a revenue producer, owing principally to the State Fair and the division of horse breeeding fees, and it is therefore a question to be decided by the House and Senate, whether or not it is entitled to annual appropriations for salaries or for any other purpose.

The only specific information published in reference to the operations of the department is contained in the printed annual financial statement, which is necessarily misleading as it is complied from the receipts and payments of the particular period, irrespective of whether they are properly applicable thereto; and is also erroneous in several respects—no distinction being made between disbursements for repairs and disbursements for permanent improvements, and in addition receipts in respect of the sale of assets are included as income thus unduly inflating the net income for the fiscal year.

We have given the matter of the re-organization of the department very careful consideration, but it will be readily understood that the following recommendations are necessarily in some cases only tentative, as whatever new system of gereral organization and accounting is ultimately adopted must be co-ordinated with that of other departments, and be controlled by some central department of accounting or finance yet to be created. Our recommendations are as follows:

1. That the present Board be reduced to a more workable number of members, say not less than five nor more than seven. The experience of industrial corporations has proved conclusively that boards of directors consisting of more than seven members are unwieldy owing to the great difficulty experienced in obtaining uniformity of action. This reduction would therefore tend towards increased efficiency, and at the same time curtail the mileage and per diem expense.

2. The adoption of a proper system of double entry bookkeeping, which would comprehend an appropriate classification of assets and liabilities together with income and expenditure accounts, whereby the whole of the financial operations and transactions of the department would be clearly reflected—the basis for which should be an independent valuation of all of the property controlled by the department, by a competent firm of appraisers. This accounting system of course to be directly controlled by the central department of accounting or finance for the state.

3. The adoption of a proper stores system, whereby the receipt and issue at the fair grounds of all lumber, hardware, building materials, etc. etc., would be made a matter of record, and duly entered into the accounting system.

4. The adoption of a proper pay roll system, whereby the names, positions, and rates of renumeration of all employees of the department would be a matter of record. Two books should be designed for this purpose, one for officials and office employees, and the other for the staff at the fair grounds.

5. The definite fixing of rates and for charges by the Board for all concessions and privileges, space and other rentals; and wherever possible the collection of the income therefrom by the secretary of

the Board. Prior to each fair plats should be prepared of the floor space in all buildings and the amount rented to each exhibitor properly scaled off thereon.

6. The adoption of rules and regulations defining the duties and limitations to be imposed upon the superintendents of grounds, with special reference to the disposal of the property of the department, the letting of pasturage, stalls, etc., and the collection of moneys therefor.

7. The adoption of a Board members' Attendance book wherein the mileage and per diem due to each member for each meeting would be duly recorded, together with his signature attesting his attendance.

8. The taking of a physical inventory, at the close of each fiscal year, of all lumber, hardware, supplies, and loose tools and implements at the fair grounds; together with the stationery and office supplies at the capitol.

9. The alteration of the department's fiscal year from the twelve months ending November 30, to the twelve months ending June 30, so as to coincide with that of the state.

Other recommendations of a minor character principally relating to accounting details were discussed with the secretary during the course of our examination of the records, but these are not of sufficient importance to warrant specific attention herein, although they will receive due consideration when we receive instructions to proceed with the design and installation of the new system of organization and accounting.

The majority of the above recommendations could be put into effect practically at once, but we would strongly advise against too precipitate action on the accounting system otherwise the reorganization of the other departments and consequently that of the administration and accounting of the state as a whole may be unnecessarily complicated and retarded.

Yours very truly,

Quail, Parker & Co.,

Chartered Accountants.

Certified Public Accountants.

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Exhibit "A"—Approximate statement of the financial position as at November 30, 1912, November 30, 1911, and November 30, 1910.

Schedule "1"—Statement of fair grounds and permanent improvement expenditure for the twelve months ended November 30, 1912, and November 30, 1911.

Schedule "2"—Statement of receipts and disbursements for the twelve months ended November 30, 1912, and November 30, 1911.

Exhibit "B"—Income and expenditure account for the twelve months ended November 30, 1912, and November 30, 1911.

Schedule "3"—Statement of department expense for the twelve months ended November 30, 1912, and November 30, 1911.

Schedule "4"—Statement of miscellaneous expense for the twelve months ended November 30, 1912, and November 30, 1911.

Schedule "5"—Statement of office salaries, permanent employes and temporary employes for the twelve months ended November 30, 1912, and November 30, 1911.

Schedule "6"—Statement of cash premiums and Breeders' Association premiums for the twelve months ended November 30, 1912, and November 30, 1911.

Schedule "7"—Statement of fair ground maintenance for the twelve months ended November 30, 1912, and November 30, 1911.

Appendix "I"—Statement of complimentary and helpers tickets issued by the secretary for the twelve months ended November 30, 1912, and November 30, 1911.

Appendix "II"—Statement of complimentary and helpers tickets issued to members of the Board of Agriculture and department superintendents for the twelve months ended November 30, 1912, and November 30, 1911.

Appendix "III"—Statement of expenses charged by members of the Board and officials of the department for out-of-state meetings, etc., for the twelve months ended November 30, 1912, and November 30, 1911.

Appendix "IV"—Statement of amounts paid to members of Board, officers and superintendents for per diem, mileage and expenses for the twelve months ended November 30, 1912, and November 30, 1911.

DEPARTMENT OF AGRICULTURE. EXHIBIT "A"

APPROXIMATE STATEMENT OF THE FINANCIAL POSITION AS AT NOVEMBER 30th, 1912, NOVEMBER 30th, 1911, AND NOVEMBER 30th, 1910.

ASSETS.	1912	Increases	1911	Increases	1910
State Fair Grounds and Permanent Improvements:—					
Distributed expenditure	$738,991.78	$ 66,466.57	$672,525.21	$106,693.13	$565,832.08
Undistributed expenditure	70,235.37	1,284.50	68,950.87	912.92	68,037.95
Totals	809,227.15	67,751.07	741,476.08	107,606.05	633,870.03
Inventories:—					
Lumber, hardware and general supplies	----------	----------	----------	----------	----------
Forage supplies	----------	----------	----------	----------	----------
Office supplies and stationery	----------	----------	----------	----------	----------
Current Resources:—					
Annual appropriation, balance	1,275.00	----------	1,275.00	----------	1,275.00
Special appropriations, balance	----------	*7,000.00	7,000.00	7,000.00	----------
Cash at bank	615.63	*17,421.36	18,036.99	10,753.55	7,283.44
Accounts receivable	119.83	*349.73	469.56	469.56	----------
Totals	2,010.46	*24,771.09	26,781.55	18,223.11	8,558.44
Contingent Resources:—					
Unexpired insurance premiums	2,015.59	*708.80	2,724.39	22.78	2,701.61
Total assets	$813,253.20	$ 42,271.18	$770,982.02	$125,851.94	$645,130.08
LIABILITIES.					
Current Obligations:—					
Accounts payable	$ 146.15	$ *162.30	$ 308.45	$ .98	$ 307.47
Unexpended Appropriations:—					
Annual, balances to June 30th, 1913, 1912 and 1911	1,275.00	----------	1,275.00	----------	1,275.00
Special, balance thereof	----------	*7,000.00	7,000.00	7,000.00	----------
Totals	1,275.00	*7,000.00	8,275.00	7,000.00	1,275.00
Surplus or Present Worth:—					
Subscriptions, City of Des Moines, 1885	50,000.00	----------	50,000.00	----------	50,000.00
Special appropriations	394,000.00	7,000.00	387,000.00	78,000.00	309,000.00
Accumulated net income to date	367,832.05	42,433.48	325,398.57	40,850.96	284,547.61
Totals	811,832.05	49,433.48	762,398.57	118,850.96	643,547.61
Total Liabilities	$813,253.20	$ 42,271.18	$770,982.02	$125,851.94	$645,130.08

*Indicates decrease.

DEPARTMENT OF AGRICULTURE. SCHEDULE "1"

STATEMENT OF FAIR GROUNDS AND PERMANENT IMPROVEMENT EXPENDITURE FOR THE TWELVE MONTHS ENDED NOVEMBER 30th, 1912, AND NOVEMBER 30th, 1911.

	Total to Nov. 30th 1912	Deductions 1912	Additions 1912	Total to Nov. 30th 1911	Deductions 1911	Additions 1911	Totals to Nov. 30th 1910	Donations and Appropriations 1885
Distributed Expenditure:—								
Land	$ 63,327.89	$ 1,861.16	$ 12,814.05	$ 52,375.00	----------	$ 2,375.00	$ 50,000.00	$ 50,000.00
Streets, sewers, etc.	22,612.46	----------	3,862.73	18,749.73	----------	2,975.35	15,774.38	1,000.00
Grading, planting, etc.	6,223.65	----------	751.62	5,472.03	----------	194.22	5,277.81	1,000.00
Entrances, fences, bridges, etc.:—								
Street car station and entrance	7,660.49	----------	5,146.73	2,513.76	----------	----------	2,513.76	----------
Grand Avenue entrance	1,451.96	----------	----------	1,451.96	----------	74.93	1,377.03	----------
Fences	3,375.24	----------	618.49	2,756.75	----------	647.25	2,109.50	----------
Bridges	2,182.41	----------	78.07	2,104.34	----------	----------	2,104.34	----------
Total entrances, fences, bridges, etc.	14,670.10	----------	5,843.29	8,826.81	----------	722.18	8,104.63	----------
Plans, maps, etc.	3,252.70	----------	61.74	3,190.96	----------	1,113.20	2,077.76	----------
Buildings:—								
Stock pavilion	44,902.67	----------	----------	44,902.67	----------	184.58	44,718.09	----------
Cattle barns	23,889.42	----------	102.15	23,787.27	----------	1,667.15	22,120.12	10,000.00
Swine pavilion and pens	86,391.50	----------	40.23	86,351.27	----------	17.60	86,333.67	----------
Horse barns	58,086.30	----------	27,603.07	30,483.23	----------	502.23	29,981.00	----------
Agricultural building	54,906.45	----------	2,413.42	52,493.03	----------	753.12	51,739.91	----------
Speed barn, new tracks, etc.	13,965.04	----------	849.32	13,115.72	----------	----------	13,115.72	----------
Dining halls	10,059.58	----------	16.00	10,043.58	----------	2.30	10,041.28	----------
Art hall and exposition building	22,923.14	----------	----------	22,923.14	----------	259.90	22,663.24	20,000.00
Women's rest cottage	2,357.81	----------	11.37	2,346.44	----------	30.01	2,316.43	----------
Amphitheatre	97,702.16	----------	16.15	97,686.01	----------	1,331.88	96,354.13	----------
Sheep barns	2,094.65	----------	129.32	1,965.33	----------	157.13	1,808.20	----------
Band stand and vaudeville stages	3,697.65	----------	----------	3,697.65	----------	522.29	3,175.36	----------
Poultry building	8,015.07	----------	----------	8,015.07	----------	17.95	7,997.12	5,000.00
Administration building	39,183.07	----------	610.64	38,572.43	----------	75.85	38,496.58	----------
Machinery building	83,683.84	----------	5,733.65	77,950.19	----------	74,913.44	3,036.75	3,000.00
Lumber yard	988.33	----------	----------	988.33	----------	988.33	----------	----------
Bleachers	5,710.95	----------	5,710.95	----------	----------	----------	----------	----------
Miscellaneous booths, sheds, etc.	13,122.95	----------	177.69	12,945.26	----------	50.63	12,894.63	10,000.00
Total buildings	571,680.58	----------	43,413.96	528,266.62	----------	81,474.39	446,792.23	48,000.00
Lavatories and dry closets	17,322.18	----------	328.33	16,993.85	----------	8,917.24	8,076.61	----------
Water system	12,365.39	----------	186.31	12,179.08	----------	285.57	11,893.51	----------
Power station	14,748.70	1,444.33	----------	16,193.03	1,066.47	28.75	17,230.75	----------
Lighting system	12,788.13	----------	2,510.03	10,278.10	----------	9,673.70	604.40	----------
Total	$ 738,991.78	$ 3,305.49	$ 69,772.06	$ 672,525.21	$ 1,066.47	$ 107,759.60	$ 565,832.08	$ 100,000.00

	Total to Nov. 30th 1912	Deductions 1912	Additions 1912	Total to Nov. 30th 1911	Deductions 1911	Additions 1911	Totals to Nov. 30th 1910	Donations and Appropriations 1885
Undistributed Expenditure:—								
Bricks, lime, cement, etc.	$ 4,496.34	----------	----------	$ 4,496.34	----------	----------	$ 4,496.34	
Hardware supplies, paint, etc.	6,954.23	----------	----------	$ 6,954.23	----------	----------	6,954.23	
Lumber	17,494.41	----------	----------	21,630.00	17,494.41	----------	----------	17,494.41
Pay roll	21,630.00	----------	----------	21,630.00	----------	----------	21,630.00	
Committee expenses	1,699.18	----------	----------	1,699.18	----------	----------	1,699.18	
Miscellaneous	8,956.51	----------	----------	8,956.51	----------	----------	8,956.51	
Loose tools, implements, teams, etc.	9,004.70	----------	1,284.50	7,720.20	----------	$ 912.92	6,807.28	
Total	$ 70,235.37	----------	$ 1,284.50	$ 68,950.87	----------	$ 912.92	$ 68,037.95	

DEPARTMENT OF AGRICULTURE—SCHEDULE "2"

STATEMENT OF RECEIPTS AND DISBURSEMENTS FOR THE TWELVE MONTHS ENDED NOVEMBER 30th, 1912, AND NOVEMBER 30th, 1911.

		1912		1911
Cash at bank, December 1st		$ 18,036.99		$ 7,283.44
Receipts:—				
State Fair	$ 180,936.67		$ 174,909.95	
Breeders associations	4,629.46		5,025.45	
Miscellaneous	10,561.15		3,007.32	
Salary appropriation	2,400.00		2,400.00	
Insurance appropriation	1,000.00		1,000.00	
Special appropriation	7,000.00		78,000.00	
Accounts receivable	469.56		----------	
Permanent improvement, sales	3,305.49		1,066.47	
		210,302.33		265,409.19
		$ 228,339.32		$ 272,692.63
Disbursements:—				
State Fair	$ 146,050.69		$ 140,575.56	
Other expenditure	10,307.99		5,100.09	
Permanent improvements	69,772.06		107,759.60	
Loose tools, implements	1,284.50		912.92	
Accounts payable	308.45		307.47	
		227,723.69		254,655.64
Cash at bank, November 30th		615.63		18,036.99
		$ 228,339.32		$ 272,692.63

DEPARTMENT OF AGRICULTURE. EXHITIT "B"

INCOME AND EXPENDITURE ACCOUNT FOR THE TWELVE MONTHS ENDED NOVEMBER 30th, 1912, AND NOVEMBER 30th, 1911.

	1912			1911		
State Fair Income:—						
Live stock exhibits	$ 4,678.45			$ 4,909.05		
Agricultural exhibits	1,695.00			1,172.50		
Dairy exhibits	576.00			377.50		
Dog show	1,601.18			--------		
Fine art exhibits	2,890.00			2,890.00		
Machinery exhibits	6,191.37			3,641.50		
		17,631.00			$ 12,990.55	
Concessions and privileges	23,632.85			24,182.47		
Entry fees, races	6,166.00			5,351.80		
Sale of forage	5,732.72			6,502.97		
Advertisements, premium list	695.50			422.00		
Dairy department, ice cream sales, etc.	1,158.63			1,161.91		
Public safety department, fines, etc.	69.90			34.75		
Miscellaneous receipts	103.80			204.50		
Exhibitors tickets	2,612.00			2,604.00		
		40,171.42			40,464.40	
Ticket sales		123,134.25			121,455.00	
Total income			$ 180,936.67			$ 174,909.95
State Fair Operating Expense:—						
Department expense	22,871.29			20,960.80		
Executive committee meetings	938.00			991.00		
Special committee meetings	1,211.54			1,266.04		
Express, telegraph and telephone	479.28			327.95		
Postage	1,032.16			864.50		
Printing	3,013.17			2,814.13		
Advertising	10,741.05			10,452.06		
Miscellaneous expense	4,460.55			4,285.98		
Music and attractions	26,739.45			24,345.78		
Light and Power	1,052.64			782.64		
Water	464.97			436.06		
Supplies, stationery, etc.	356.08			259.43		
Forage	4,983.00			5,963.29		
Salaries	4,690.25			5,140.75		
Less salary appropriation	2,400.00			2,400.00		
Board meetings	280.00			645.50		
		80,913.43			77,135.96	
Fair Grounds Department:—						
Assistants and Foreman	740.20			483.54		
Scavenging work	679.25			848.13		
Track work	320.75			324.99		
Streets	743.18			99.75		

DEPARTMENT OF AGRICULTURE. EXHIBIT "B"—Concluded.

INCOME AND EXPENDITURE ACCOUNT FOR THE TWELVE MONTHS ENDED NOVEMBER 30th, 1912, AND NOVEMBER 30, 1911.

	1912			1911		
Fair Grounds Department:—						
Miscellaneous work at fair	745.16			904.25		
Cleaning grounds	592.04			914.32		
Cleaning buildings	777.53			1,199.87		
Cash premiums		4,598.11			4,775.25	
Less Breeders' Association premiums	58,139.15			56,264.35		
Total operating expense	4,629.46	53,509.69		5,025.45	51,238.90	
Net income from state Fair			139,021.23			133,150.11
			$ 41,915.44			$ 41,759.84
Miscellaneous Income:—						
Fees, division of horse breeding		8,953.50			910.50	
Collections—Use of Grounds:—						
Stall and pasture rent	$ 689.80			606.90		
Lumber sales	149.99			443.94		
Rental of grounds	386.12			474.10		
Miscellaneous	142.75			183.30		
		1,368.66			1,708.24	
Interest on monthly balances		243.32			238.15	
Scholarship refund	--------			318.75		
Telephone	--------			239.78		
Miscellaneous	115.50	115.50		61.46	619.99	
Total			10,680.98			3,476.88
Total income			$ 52,596.42			$ 45,236.72
Other Expenditure:—						
Fair grounds maintenance		6,753.05			$ 2,285.40	
Salaries and expenses, division of horse breeding		1,884.82			--------	
Annual meeting, per diem and mileage		540.02			538.55	
Stationery and office supplies		117.38			104.75	
Insurance premiums	1,259.43				1,429.72	
Less insurance appropriation	1,000.00				1,000.00	
Animal industry committee	--------				47.40	
Sale of lighting plant expense	100.26				68.00	
Pay roll, wrecking old buildings	--------			393.93		
Pay roll, June race meeting	--------			75.50		
Pay roll, firemen's tournament	--------			57.61		
Pay roll, planting rented ground	156.98				527.04	
Miscellaneous	351.00				384.90	
Total		10,162.94				4,385.76
Net income or surplus			$ 42,433.48			$ 40,850.96

DEPARTMENT OF AGRICULTURE. SCHEDULE "3".

STATEMENT OF DEPARTMENT EXPENSE FOR THE TWELVE MONTHS ENDED NOVEMBER 30th, 1912 AND NOVEMBER 30th, 1911.

	Total 1912	No. of Assistants and Judges	Superintendent's per diem	Pay Roll	Expense	Total 1911	No. of Assistants and Judges	Superintendent's per diem	Pay Roll	Expense
President's department	$ 512.50	12	$ 98.00	$ 414.50	------	$ 453.50	9	$ 98.00	$ 355.50	------
Secretary's department	659.25	13	25.00	634.25	------	675.55	13	24.00	650.75	$ .80
Treasurer's department	1,629.10	35	125.00	1,457.10	$ 47.00	2,006.75	38	124.00	1,838.75	44.00
Concessions' department	1,635.45	40	694.70	921.25	19.50	1,530.15	48	665.40	864.75	------
Racing department	1,444.32	17	143.00	764.67	236.65	938.20	12	103.50	620.15	214.55
Horse department	1,458.10	17	103.10	1,107.00	248.00	1,245.20	14	87.70	976.50	181.00
Cattle department	924.05	14	136.00	778.05	10.00	1,278.15	13	168.00	1,072.15	38.00
Swine department	575.47	10	127.60	422.87	25.00	610.40	8	155.40	430.00	25.00
Sheep department	418.00	4	78.00	340.00	------	394.00	5	82.00	310.00	2.00
Poultry department	394.10	11	50.00	263.10	81.00	327.62	8	50.00	226.00	51.62
Machinery department	620.55	4	153.20	467.35	------	583.35	5	123.40	459.95	------
Agricultural department	583.05	16	96.30	486.75	------	597.90	14	144.90	453.00	------
Dairy department	795.77	14	60.00	240.50	495.27	815.55	18	60.00	215.00	540.55
Horticulture department	304.14	4	100.30	87.58	116.26	245.59	7	96.30	83.05	66.24
Floriculture department	69.00	1	44.00	25.00	------	88.00	2	40.00	48.00	------
Fine arts department	581.15	19	92.50	483.80	4.85	590.20	20	92.50	494.55	3.85
School exhibits department	219.40	8	------	340.50	14.90	254.88	4	------	243.76	11.12
Admissions department	2,613.45	108	99.50	2,436.50	77.45	2,683.85	113	99.50	2,515.50	68.85
Public safety department	3,964.30	170	98.00	3,589.00	277.30	3,516.01	162	108.00	3,052.25	355.76
Ticket audit department	483.25	11	105.00	355.75	22.50	537.25	11	105.00	409.75	22.50
College exhibit department	702.73	------	------	------	702.73	699.04	------	------	------	699.04
Boys and girls judging contests	47.00	------	------	------	47.00	61.46	------	------	------	61.46
Women's rest cottage	57.75	2	------	52.95	4.80	58.15	2	------	51.75	6.40
Dog show	1,196.25	13	------	431.13	765.12	------	------	------	------	------
Boys' camp	1,237.83	5	27.00	477.67	733.16	------	------	------	------	------
Babies health contest	45.33	------	------	------	45.33	------	------	------	------	------
Home coming week	------	------	------	------	------	167.05	6	------	72.50	94.55
Model farm	------	------	------	------	------	602.30	------	------	------	602.30
Totals	$22,871.29	548	$ 2,456.20	$16,441.27	$ 3,973.82	$20,960.80	532	$ 2,427.60	$15,443.61	$ 3,089.59

DEPARTMENT OF AGRICULTURE—SCHEDULE "4."

Statement of Miscellaneous expense for the twelve months ended November 30, 1912, and November 30, 1911.

Particulars.	1912	1911
American Trotting Association dues	$ 100.00	$ 100.00
Rent of additional ground	175.50	.....
Building decorations	800.00	414.52
Rent of tents, awnings, cots, etc	569.76	651.75
State fair banquet	126.25	.....
Coal and firemen, dining hall and administration building	109.07	.....
Miscellaneous signs	55.75	.....
Miscellaneous expense	271.95	760.23
Plants and flowers	535.84	561.85
Freight and drayage	70.85	31.88
Premium ribbons and badges	834.68	708.43
Hauling manure	233.00	615.65
Ground supplies	296.65	218.16
Tan bark and sawdust	149.50	223.51
Pioneer day	131.75	.....
	$ 4,460.55	$ 4,285.98

DEPARTMENT OF AGRICULTURE. SCHEDULE "5".

STATEMENT OF OFFICE SALARIES—PERMANENT EMPLOYES AND TEMPORARY EMPLOYES FOR THE TWELVE MONTHS ENDED NOVEMBER 30th, 1912, AND NOVEMBER 30th, 1911.

	1912				1911		
	Total	Appropriation	Office Salaries	Division of Horse Breeding	Total	Appropriation	Office Salaries
Regular Employees—							
J. C. Simpson, Secretary.			--------	--------	$ 600.00	$ 300.00	$ 300.00
A. R. Corey, Secretary	$1,800.00	$1,800.00	--------	--------	1,750.00	1.500.00	250.00
C. A. Nash, Assistant	1,275.00	--------	$1,175.00	$ 100.00	693.00	--------	693.00
Elsie Colton, Clerk	1,000.00	--------	300.00	700.00	1,200.00	75.00	1,125.00
Edith Smith, Stenographer	950.00	600.00	275.00	75.00	688.00	525.00	163.00
Minnie Anderson, Clerk	635.32	--------	65.00	570.32	--------	--------	--------
Temporary Employees—							
Bess Williams, Extra Clerk	330.00	--------	216.25	113.75	--------	--------	--------
G. K. Scott, Extra Clerk	67.50	--------	67.50	--------	36.00	--------	36.00
C. C. Heer, Extra Clerk	125.00	--------	110.00	15.00	100.75	--------	100.75
H. Tierman, Extra Clerk	8.00	--------	8.00	--------	--------	--------	--------
Buena Reed, Extra Clerk	58.50	--------	58.50	--------	--------	--------	--------
Joseph Sletton, Extra Clerk	15.00	--------	15.00	--------	--------	--------	--------
Helen Lynch, Extra Clerk	96.25	--------	--------	96.25	--------	--------	--------
Genevieve Kelley, Extra Clerk	85.00	--------	--------	85.00	--------	--------	--------
Cynthia Taylor, Extra Clerk	61.25	--------	--------	61.25	--------	--------	--------
Edith Williams, Extra Clerk	--------	--------	--------	--------	36.00	--------	36.00
Paul Davidson, Extra Clerk	--------	--------	--------	--------	23.00	--------	23.00
D. Byers, Extra Clerk	--------	--------	--------	--------	14.00	--------	14.00
Total Salaries	$6,506.82	$2,400.00	$2,290.25	$1,816.57	$5,140.75	$2,400.00	$2,740.75
Expenses—							
Stud Book, Vol. 6-7	3.00	--------	--------	$ 3.00	--------	--------	--------
American Trotting Register, Vol. 27	5.00	--------	--------	5.00	--------	--------	--------
S. H. Johnston, Stallion Examination	15.00	--------	--------	15.00	--------	--------	--------
C. H. Stange, Stallion Examination	12.00	--------	--------	12.00	--------	--------	--------
F. L. Buck, Stallion Examination	11.50	--------	--------	11.50	--------	--------	--------
Percheron Stud Book, Vol. 13	3.00	--------	--------	3.00	--------	--------	--------
Typewriter Rent	13.00	--------	--------	13.00	--------	--------	--------
Printing	5.75	--------	--------	5.75	--------	--------	--------
Total Salaries and Expenses	$6,575.07	$2,400.00	$2,290.25	$1,884.82	$5,140.75	$2,400.00	$2,740.75

DEPARTMENT OF AGRICULTURE—SCHEDULE "6".

Statement of cash premiums and Breeders' Association premiums for the twelve months ended November 30, 1912, and November 30, 1911.

1912.	Total.	Breeders' Association.	State Fair.
Horse department	$ 14,940.00	$ 2,111.00	$ 12,829.00
Cattle department	11,738.00	2,223.46	9,514.54
Swine Department	4,042.00	295.00	3,747.00
Sheep department	2,306.00	.....	2,306.00
Poultry department	1,112.50	.....	1,112.50
Agricultural department	4,059.00	.....	4,059.00
Pantry and kitchen	1,092.50	.....	1,092.50
Dairy department	627.00	.....	627.00
Horticulture department	1,139.25	.....	1,139.25
Floriculture department	1,382.40	.....	1,382.40
Fine arts department	1,662.50	.....	1,662.50
School exhibits	430.00	.....	430.00
Dog show	318.00	.....	318.00
Babies health contest	280.00	.....	280.00
Scholarships	650.00	.....	650.00
Racing department	12,360.00	.....	12,360.00
	$ 58,139.15	$ 4,629.46	$ 53,509.69

1911.			
Horse department	$ 14,184.00	$ 2,200.00	$ 11,984.00
Cattle department	12,061.00	2,590.27	9,470.73
Swine department	3,640.00	112.00	3,528.00
Sheep department	2,388.00	.....	2,388.00
Poultry department	1,042.00	.....	1,042.00
Agricultural department	3,524.00	.....	3,524.00
Pantry and kitchen	856.50	.....	856.50
Dairy department	627.00	.....	627.00
Horticulture department	1,115.75	.....	1,115.75
Floriculture department	1,278.60	.....	1,278.60
Fine arts department	1,744.50	.....	1,744.50
School exhibits	493.00	.....	493.00
Scholarships	850.00	.....	850.00
Auto parade premiums	150.00	.....	150.00
Racing department	12,310.00	.....	12,310.00
	$ 56,264.35	$ 4,902.27	$ 51,362.08

DEPARTMENT OF AGRICULTURE—SCHEDULE "7."

Statement of fair ground maintenance for the twelve months ended November 30, 1912, and November 30, 1911.

Particulars.	1912	1911
Superintendent and assistants, pay roll	$ 1,138.05	$ 1,182.88
Race track work, pay roll	360.43	.....
Dragging streets, pay roll	66.82	.....
Hauling manure, pay roll	164.30	.....
Painting, pay roll and materials	2,316.51	317.50
Mowing grass	595.57	.....
Water	194.96	.....
Forage, etc., mule team	184.85	.....
Shoveling snow	223.60	.....
Grass seed	26.25	.....
Miscellaneous repairs	602.35	692.58
Miscellaneous labor	879.36	92.44
	$ 6,753.05	$ 2,285.40

APPENDIX I.

"A" Single Admissions to Grounds.
"B" Single Admissions to Paddock & Bleachers
"C" Single Admissions—Day Colors
"D" Admissions to Amphitheatre
"E" Exhibitors Complimentary
"F" Single Complimentary
"G" Double Complimentary
"H" Employees
"J" Attractions
"K" Automobiles
"L" Helpers
"M" Grounds
"N" Guests
"O" Press
Total

DEPARTMENT OF AGRICULTURE. APPENDIX I.

STATEMENT OF COMPLIMENTARY AND HELPERS' TICKETS ISSUED BY THE SECRETARY FOR THE TWELVE MONTHS ENDED NOVEMBER 30, 1912, AND NOVEMBER 30, 1911.

ISSUED TO		A	B	C	D	E	F	G	H	J	K	L	M	N	O	Total
Fairs	1912	------	------	------	------	------	------	88	------	------	------	------	------	77	------	165
	1911	15	------	------	9	------	------	188	------	------	------	------	------	62	------	274
Executive Members of Board	1912	------	------	------	------	------	------	------	------	------	------	------	------	51	------	51
	1911	9	------	------	------	------	2	------	------	------	------	------	------	56	------	67
Newspapers	1912	478	24	------	------	------	88	1	5	1	1	579	------	37	964	2,178
Delegates (Farmers' Institute and	1911	585	------	------	33	------	133	------	2	1	4	295	------	40	1,022	2,115
County)	1912	------	------	------	------	------	------	40	------	------	------	------	------	------	------	40
	1911	------	------	------	------	------	------	59	------	------	------	------	------	------	------	59
Board of Agriculture	1912	22	14	------	------	------	180	180	------	------	------	------	------	6	------	402
	1911	17	------	------	8	------	189	99	------	------	------	------	------	5	------	318
Telegraph, Telephone and Express Co.	1912	145	------	------	------	------	37	------	1	9	------	94	4	------	------	290
	1911	137	------	------	3	------	33	------	------	6	------	74	4	19	------	276
State House Officials and Employees	1912	354	------	------	------	------	40	14	------	------	------	------	------	52	------	460
	1911	330	------	------	12	------	47	14	------	------	------	------	------	57	------	460
Advertisers	1912	50	10	------	------	------	6	------	------	------	------	------	------	------	------	66
	1911	43	------	------	4	------	9	1	------	------	------	------	------	------	------	57
Railroads and Street Railways	1912	97	------	112	------	------	202	------	------	64	------	------	------	6	------	481
	1911	------	------	------	------	------	302	------	------	38	------	------	------	24	------	364
Organizations	1912	------	------	------	------	------	19	1	1	5	------	224	1	11	------	262
	1911	3	------	------	------	------	22	1	------	6	1	259	2	11	------	305
College Exhibitors—Ames	1912	20	------	------	------	------	74	------	------	------	------	100	------	------	------	194
	1911	20	------	------	------	------	58	------	------	------	------	------	------	------	------	78
City Officials	1912	------	------	------	------	------	8	------	------	------	------	------	------	16	------	24
	1911	------	------	------	5	------	10	3	------	------	1	------	------	24	------	43
Judges—Exhibits and Contests	1912	44	------	------	------	------	1	------	------	------	------	------	------	33	------	78
	1911	61	------	------	------	------	3	------	------	------	------	------	------	39	------	103
Congressmen and Legislators	1912	6	5	------	------	------	------	------	------	------	------	------	------	323	------	334
	1911	3	------	------	2	------	------	------	------	------	------	------	------	326	------	331
Breeders' Associations	1912	------	------	------	------	------	------	------	------	------	------	------	------	75	------	75
	1911	------	------	------	------	------	2	1	------	------	------	------	------	73	------	76
Fish and Game Exhibitors	1912	------	------	------	------	------	14	------	2	------	------	20	------	2	------	38
	1911	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------
Navy Exhibitors	1912	------	------	------	------	------	10	------	1	------	------	------	------	------	------	11
	1911	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------
Babies Health Contest	1912	2	------	------	------	------	12	------	2	1	------	10	------	------	------	27
	1911	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------
Boys' Camp	1912	2	------	------	------	------	82	------	7	------	------	------	------	1	------	92
	1911	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------
Dog Show Exhibitors	1912	6	------	20	------	------	4	------	2	4	------	23	------	------	------	59
	1911	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------
Detectives	1912	------	------	------	------	------	9	------	25	------	------	------	------	1	------	35
	1911	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------
Individuals	1912	177	70	134	------	10	101	34	46	249	7	134	11	47	------	1,020
	1911	266	------	------	104	10	103	7	29	300	9	573	17	184	------	1,602
Totals	1912	1,403	123	266	------	10	887	358	92	333	8	1,184	16	738	964	6,382
Totals	1911	1,489	------	------	180	10	913	373	31	351	15	1,201	23	920	1,022	6,528

STATEMENT OF COMPLIMENTARY AND HELPERS TICKETS ISSUED TO MEMBERS OF THE BOARD OF AGRICULTURE AND DEPARTMENT SUPERINTENDENTS FOR THE TWELVE MONTHS ENDED NOVEMBER 30, 1912, AND NOVEMBER 30, 1911.

TICKET CLASSIFICATION.	President		Treasurer		Secretary		Executive Committee		Concessions Department		Other Departments		Total	
	1912	1911	1912	1911	1912	1911	1912	1911	1912	1911	1912	1911	1912	1911
Single Complimentary	20	------	------	------	124	------	------	3	10	50	238	123	392	176
Single Admission—Grounds	------	7	77	97	------	------	------	45	23	700	1,908	4,676	2,008	5,525
Single Admission—Amphitheatre	------	16	------	24	------	------	------	20	11	14	144	978	155	1,052
Single Admission—Machinery Department	------	------	------	------	------	------	------	------	------	------	3,160	------	3,160	------
Single Admission—Concessionaires	------	------	------	------	------	------	------	------	700	------	------	------	700	------
Single Admission—Bleachers	------	------	------	------	------	------	------	------	------	------	80	------	80	------
Helpers	------	------	------	------	1,572	1,201	------	------	6,694	5,974	3,807	3,499	12,073	10,674
Grooms—Stock Pavilion	------	------	------	------	------	------	------	------	------	------	------	700	------	700
Grooms—Other	------	------	------	------	------	------	------	------	------	------	500	7	500	7
Employees—General	------	------	33	24	68	31	------	5	6	------	113	89	220	149
Employees—Hatch Shows	------	------	------	------	------	------	------	------	------	250	------	------	------	250
Employees—Reiss Shows	------	------	------	------	------	------	------	------	275	------	------	------	275	------
Owners and Drivers	------	------	------	------	------	------	------	------	------	------	371	370	371	370
Vehicle and Drivers	------	------	------	------	1	4	------	10	62	24	126	109	189	147
Vehicle only	------	------	------	------	------	------	------	------	100	------	------	4	100	4
Automobile	------	------	4	------	8	------	------	1	6	43	39	2	57	46
Delivery	------	------	------	------	11	5	------	------	68	54	32	16	111	75
Express	------	------	------	------	------	------	------	------	29	24	------	------	29	24
Street Sprinkler	------	------	------	------	------	------	------	1	------	------	------	------	------	1
Reserved Seats—Amphitheatre	------	------	------	------	------	224	------	------	------	------	------	------	------	224
Soldiers	------	------	------	------	------	------	------	------	------	------	2,582	3,400	2,582	3,400
Old Settlers	------	------	------	------	------	------	------	------	------	------	65	300	65	300
Grounds	------	------	------	------	18	24	------	10	797	795	925	1,132	1,740	1,961
Exhibitors Complimentary	------	------	------	------	------	150	------	------	27	130	1,307	1,269	1,334	1,549
Day Colors	------	------	------	------	421	------	------	------	------	------	648	------	1,069	------
Totals	20	23	114	145	2,223	1,639	------	95	8,808	8,068	16,045	16,674	27,210	26,634

DEPARTMENT OF AGRICULTURE—APPENDIX III.

Statement of expenses charged by members of the board and officials of the department for out of state meetings, etc., for the twelve months ended November 30, 1912, and November 30, 1911.

Particulars.	1912 Mileage and Expenses.	1912 Total.	1911 Mileage and Expenses.	1911 Total.
American Association of Fairs and Expositions, Chicago—				
C. E. Cameron	$ 33.01		$ 40.46	
O. A. Olson	37.05		52.80	
R. S. Johnston	22.65		15.40	
H. L. Pike	33.82		73.02	
E. J. Curtin	35.60		....	
E. M. Wentworth	23.98		....	
A. R. Corey	28.75		....	
J. F. Summers	35.70		....	
W. C. Brown	....		38.00	
J. C. Simpson	....		37.00	
J. Ledgerwood	....		33.10	
		$ 250.56		$ 289.78
Chicago Attraction Meeting—				
C. E. Cameron	$ 34.96		$ 37.47	
O. A. Olson	46.37		....	
A. R. Corey	36.25		....	
C. F. Curtiss	....		28.30	
W. C. Brown	....		27.50	
		117.58		93.27
Winnepeg, Canada—				
C. E. Cameron	....		$ 56.08	
		....		56.08
Minnesota and Nebraska State Fairs—				
C. E. Cameron	$ 37.00		$ 31.61	
O. A. Olson	11.65		37.15	
R. S. Johnston	24.05		....	
A. R. Corey	17.20		....	
J. H. Deemer, Supt. of Grounds	36.90		....	
E. J. Curtin	....		31.50	
		126.80		100.26

Chicago Rate Hearing—				
C. E. Cameron	$ 27.58		....	
A. R. Corey	24.75		....	
		52.33		....
Missouri and Oklahoma State Fairs—				
C. E. Cameron	....		$ 54.25	
O. A. Olson	....		54.59	
		....		108.84
Illinois State Fair—				
R. S. Johnston	....		$ 18.30	
		....		18.30
		$ 547.27		$ 666.53

DEPARTMENT OF AGRICULTURE—APPENDIX IV.

Statement of amounts paid to members of board, officers and superintendents for per diem, mileage and expenses for the twelve months ended November 30, 1912, and November 30, 1911.

Name.	1912	1911	Total
C. E. Cameron, President	$ 790.59	$ 1,035.41	$ 1,826.00
A. R. Corey, Secretary	193.15	159.97	363.12
G. S. Gilbertson, Treasurer	25.00	24.00	49.00
H. L. Pike	277.82	413.02	690.84
E. M. Wentworth	205.98	174.00	379.98
R. S. Johnston	329.30	344.10	673.40
O. A. Olson	781.48	657.54	1,439.02
E. J. Curtin	305.47	308.50	613.97
C. W. Phillips	216.00	208.00	424.00
E. M. Reeves	185.20	181.20	366.40
T. C. Legoe	174.50	186.50	361.00
C. F. Curtiss	231.05	213.60	444.65
J. P. Mullen	236.30	174.80	411.10
F. E. Sheldon	177.20	213.50	390.70
J. F. Summers	255.70	260.00	515.70
W. C. Brown	694.70	725.60	1,420.30
W. B. Barney	60.00	60.00	120.00
Wesley Greene	44.00	40.00	84.00
Superintendent Boys' Camp	27.00	.....	27.00
J. H. Deemer, Supt. of Grounds	36.90	.....	36.90
C. Escher, Jr.	.....	22.00	22.00
J. C. Simpson	.....	37.00	37.00
J. Ledgerwood	.....	258.70	258.70
	$ 5,247.34	$ 5,707.44	$ 10,954.78

RECONCILIATION.

Exhibit "B."

Fair Operating Expense—		
Executive committees meetings	$ 938.00	$ 991.00
Special committee meetings	1,211.54	1,266.04
Board meetings	280.00	645.50
Other Expenditure—		
Annual meeting, per diem and mileage	540.02	533.55
Animal industry committee	.....	47.40
Schedule "3."		
Department superintendents per diem	2,456.20	2,427.60
Totals	$ 5,425.76	$ 5,916.09
Less Other Expenses Erroneously Included—		
Reporting meeting	$ 33.22	$ 15.10
Speakers at annual meeting	.....	93.55
Savery hotel bill	6.80	.....
A. L. Sponsler, annual meeting	30.90	.....
Morrison Taxicab Co	7.50	.....
G. S. Gilbertson, salary	100.00	100.00
Totals	$ 178.42	$ 208.65
Net amount paid as above	$ 5,247.34	$ 5,707.44

Senator McColl moved that the Senate do now adjourn until 1:30 P. M., today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M.

President Harding presiding.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 3, a bill for an act relating to employers' liability for personal injury sustained by employes in line of duty, fixing compensation therefor, securing the payment thereof by indemnity insurance, creating a board of directors for the management thereof, defining their powers and duties relating thereto, providing for the appointment of three commissioners, and defining their power and duty.

The time having arrived for special order, House File No. 169, Senator DeWolf moved that consideration of House File No. 169 be suspended until the Senator from Monroe had completed his remarks on Senate File No. 3.

Carried.

Senator Heald was called to chair at 2:15.

President Harding resumed the chair at 2:40.

Unanimous consent was given that amendments to Senate File No. 3 may be offered at any time today and same be printed in the Journal in the order filed as applying to sections of the bill.

Senator DeWolf moved that further consideration of Senate File No. 3 be postponed until Tuesday morning at 9:30 and that the bill be made a special order for that time.

Carried.

I.

A SUBSTITUTE FOR SENATE FILE NO. THREE.

Senator Kimball filed the following substitute amendment:

A BILL for an Act Relating to Employers Liability for Personal Injury Sustained by Employes in Line of Duty Fixing Compensation Therefor, Securing the Payment Thereof by Indemnity Insurance, providing for the Appointment of Three Commissioners and Defining Their Powers and Duties.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That for the purpose of providing a suitable employers liability act relating to liability for personal injury sustained by employes in line of duty and fixing compensation therefor there shall be appointed by the governor by and with the consent of a two-thirds majority of the senate a commission of three to be known as the industrial commission; not more than two of whom shall be members of the same political party, and none of whom shall be members of the general assembly at the time of the appointment, and who shall be duly qualified for the service.

Sec. 2. That the said commission shall investigate and report upon the rates necessary to be provided for and employers liability law providing compulsory accident insurance on a limited compensation schedule and rates for an employers liability law based upon a state insurance system, and for that purpose shall compile statistics with reference to the number of accidents in the various classes of industry in the state of Iowa, and relative to the number of persons employed and the length of time of employment, together with rates of accident insurance covering various limitations of liability in the various classes and risks of employment together with all other information and knowledge necessary and desirable upon which to base the experience for rates and provisions for such a law.

The said commission shall investigate and determine as nearly as possible the cost to the state and different districts and counties thereof, occasioned by litigation between employers and employes growing out of accidents, and the cost to the state and counties and districts occasioned by the care of injured employes and care of their dependents growing out of injuries to employes.

Sec. 3. That such commission shall publish such compilation which shall be printed and bound as other state documents and shall cause a copy of the same to be furnished to each member of the general assembly or members elect thereof to succeed those whose terms expire in January, 1915, on or before the fifteenth day of November, 1914.

Sec. 4. That said commission shall have authority to employ the necessary stenographers, clerks and actuary at salaries and compensation to be fixed and determined by the executive council.

Sec. 5. That each member of such commission shall receive the sum of ten dollars ($10.00) per day and necessary expenses for the time actually employed and engaged in the work contemplated herein which shall be paid upon statements of the commission audited and allowed by the executive council.

Sec. 6. That there shall be appropriated out of the monies into the state treasury not otherwise appropriated not to exceed the sum of ten thousand ($10,000) dollars to carry out the provisions of this act.

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.

Senator Cowles filed the following motion:

II.

I move to substitute Senate bill No. 173 for the Senate Bill No. 3 now under consideration.

Senator Webber filed the following amendment:

III.

I move to amend Senate File No. 3 as amended, by striking out all of part three (3) of said bill, beginning on page nineteen (19) of the printed bill, and substituting therefor the following:

Sec. 43. Every employer, subject to the provisions of this act, shall insure his liability thereunder in some corporation, association or organization approved by the state department of insurance. Every such employer shall within thirty (30) days after this act goes into effect exhibit on demand of the state insurance department evidence of his compliance with this section. And if such employer refuses, or neglect to comply with this section, he shall be liable in case of injury to any workman in his employe under part one (1) of this act.

Sec. 44. For the purpose of complying with the foregoing section, groups of employers by themselves or in an association with any or all of their workmen, may form insurance associations as hereafter provided, subject to such reasonable conditions and restrictions as may be fixed by the state insurance department and membership in such mutual insurance organizations so approved, together with evidence of the payment of premiums due, shall be evidence of compliance with the preceding section.

Sec. 45. Subject to the approval of the state insurance department any employer or group of employers may enter into or continue an agreement with his or their workmen to provide a scheme of compensation, benefit or insurance in lieu of the compensation and insurance provided by this act; but such schemes shall in no instance provide less than the benefits here secured, nor vary the period of compensation provided for disability or for death, or the provisions of this act with respect to periodic payments, or the percentage that such payments shall bear to weekly wages, except that the sums required may be increased; provided, further, that the approval of the insurance department shall be granted, if the scheme provides for contribution by workmen, only when it confers benefits in addition to those required by this act commensurate with such contributions.

Sec. 46. Whenever such scheme or plan is approved by the department of insurance, he shall issue a certificate to that effect, whereupon it shall be legal for such employer, or group of employers, to contract with any or all of his or their workmen to substitute such scheme or plan for the provisions of this act during a period of time fixed by said department.

Sec. 47. Such scheme or plan may be terminated by the insurance department on reasonable notice to the interested parties if it shall appear that the same is not fairly administered, or if its operation shall disclose latent defects threatening its solvency, or if for any substantial reason it fails to accomplish the purpose of this act; but from any such order of said insurance department the parties affected, whether employer or workmen, may, upon the giving of proper bond to protect the interests involved appeal for equitable relief to the district court of this state.

Sec. 48. No insurer of any obligation under this act shall either by himself or through another, either directly or indirectly, charge or accept as a commission or compensation for placing or renewing any insurance under this act more than fifteen (15) per cent of the premiums charged.

Sec. 49. Every policy issued by any insurance corporation, association or organization to assure the payment of compensation under this act shall contain a clause providing that between any employer and the insurer, notice, to and knowledge of the occurrence of injury or death on the part of the insured shall be notice and knowledge on the part of the insurer; and jurisdiction of the insured for the purpose of this act shall be jurisdiction of the insurer and the insurer shall be bound by every agreement, adjudgment, award or judgment rendered against the insured.

Sec. 50. No policy of insurance issued under this act shall contain any provision relieving the insurer from payment if the insured becomes insolvent or discharged in bankruptcy during the period that the policy is in operation, or the compensation, or any part of it, is due and unpaid. Every policy shall provide that the workman shall have a first lien upon any amount becoming due on account of such policy to the insured from the insurer, and that in case of the legal incapacity, inability or disability of the insured to receive the amount due and pay it over to the insured workman, or his dependents, said insurer shall pay the same directly to such workman, his agent, or to a trustee for him or his dependents, to the extent of discharging any obligation of the insured to said workman or his dependents.

Senator Webber filed the following amendment:

IV.

I move to amend Senate File No. 3 as amended by striking out, beginning with line 25, of sub-division "D," of section 10, the words and

figures sixty per cent (60%) and substituting in their place the words and figures fifty per cent (50%). Also in the same the words and figures twelve dollars ($12.00) and substitute therefor the words and figures ten dollars ($10.00) and that this amendment apply to change the words and figures wherever they appear on page 7 of the printed bill, and that the words and figures sixty per cent (60%) wherever they appear on page 8 of the printed bill and substitute therefor in each instance the words and figures fifty per cent (50%).

Senator Wilson of Appanoose filed the following amendment:

V.

I move to amend section 3 by inserting after the word "employer," and before the word "unless," the following words: "as by statute authorized"; and that said section be further amended by inserting the word "failure" in line eighteen, instead of the word "fails"; and inserting the word "violation" in place of the word "violate", the word "of" to follow said word "violation," in the nineteenth line of said section.

J. M. WILSON.

Senator Wilson of Appanoose filed the following amendment:

VI.

I move to strike from the close of section 3, as provided by the principal bill, at line forty-four, all the amendment thereto beginning with the words "in any case" and ending with the word "instrument."

J. M. WILSON.

Senator Wilson of Appanoose filed the following amendment:

VII.

I move to insert in line one of section 9, after the word "representative," the following words: "of such employer."

J. M. WILSON.

Senator Wilson of Appanoose filed the following amendment:

VIII.

I move to insert after the word "support" in line 31, of section 17, and before the word "upon," the words "or not."

J. M. WILSON.

Senator Wilson of Appanoose filed the following amendment:

IX.

I move to amend the amendment to section 25, line 26, by inserting after the word "commission," in the first line of said amendment, the following words: "during the term of his appointment."

J. M. WILSON.

REPORT OF COMMITTEE.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT.—Your committee on Appropriations to whom was referred House File No. 169, a bill for an act to amend division two of section twenty-four hundred forty-eight (2448) of the supplement to the code, 1907, relating to the limits within which intoxicating liquors may be sold, beg leave to report they have had the same under consideration and recommend that section three (3) as recommended by the committee on Suppression of Intemperance, be stricken out, and when so amended the bill be reported back without recommendation.

JOS. MATTES,
Chairman.

The time having arrived for special order, House File No. 169, a bill for an act to amend division two of section twenty-four hundred forty-eight (2448) of the supplement to the code, 1907, relating to the limits within which intoxicating liquors may be sold, with report of committee on Appropriations recommending that section three (3) as recommended by the committee on Suppression of Intemperance, be stricken out, was taken up and considered.

Senator Mattes moved the adoption of the report of the committee on Appropriations.

On this motion a roll call was demanded.

Those favoring the adoption of the report were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Jewell, Jones, Larrabee, Mattes, McColl, Neal, Nye, Robinson, Smith, Spaulding, Taylor, Thomas—26.

The nays were:

Balluff, Cowles, DeWolf, Farr, Garrett, Gillette, Hagemann, Heald, Hilsinger, Kimball, Legel, Malmberg, McManus, Quigley, Ream, Savage, Schrup, Sheean, Sullivan, Webber, White, Wilson of Appanoose, Wilson of Clinton—23.

Absent or not voting:

Perkins—1.

Report of the committee on Appropriations was adopted.

Senator Mattes moved the adoption of the report of the committee on the Suppression of Intemperance.

Adopted.

Senator Mattes moved the adoption of the following amendment as recommended by the committee on the Suppression of Intemperance:

Also add thereto section 3 as follows: "Section 3. That the governor of the state is hereby authorized to appoint three disinterested persons who shall, upon the passage of this act, determine the reasonable value of the breweries that are now in operation and affected by this act and the state shall pay to the owners of said breweries the reasonable value so determined, and there is hereby appropriated out of the funds of the state treasury, not otherwise appropriated, a sum suffiicient to cover said amount."

Senator Cowles moved that further consideration of this bill be deferred until 4 p. m.

Motion withdrawn.

Senator Francis offered the following amendment:

I move to amend the bill by striking from section 1 the quotation marks at the close thereof, and adding thereto the following: "provided, however, that the provisions of this specific amendment and of section 2461 of the code shall not exclude any brewery where consent is obtained as provided in section 2456 to section 2460 inclusive, of the code."

Senator Savage moved the Senate consider first the amendment offered by Senator Francis, before the consideration of section 3 as recommended by the committee on the Suppression of Intemperance.

On this motion a roll call was demanded.

Those favoring the motion were:

Ames, Arney, Balkema, Balluff, Cowles, Crist, Crow, DeWolf, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Kimball, Legel, Malmberg, Mattes, McColl, McManus, Nye, Quigley, Ream, Savage, Schrup, Sheean, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

Allen, Boe, Chase, Clarkson, Darrah, Doran, Farr, Jones, Larrabee, Neal, Perkins, Robinson, Smith, Spaulding, Taylor—15.

Absent or not voting:

None.

So the motion prevailed.

Senator Gillette moved the previous question on the amendment offered by Senator Francis.

Carried.

On the adoption of the amendment offered by Senator Francis a roll call was demanded.

Those favoring the amendment were:

Ames, Arney, Balkema, Clarkson, Cowles, Crist, Crow, DeWolf, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, McColl, McManus, Quigley, Ream, Savage, Schrup, Sheean, Sullivan, Webber, Wilson of Clinton—32.

The nays were:

Allen, Boe, Chase, Darrah, Doran, Larrabee, Neal, Nye, Robinson, Smith, Spaulding, Taylor, Thomas, White, Wilson of Appanoose—15 .

Absent or not voting:

Balluff, Farr, Perkins—3.

So the amendment was adopted.

On the adoption of the amendment adding section 3 as recommended by the committee on Suppression of Intemperance a roll call was demanded.

Those favoring the amendment were:

Balluff, McManus, Quigley, Schrup, Sheean, Wilson of Clinton —6.

The nays were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Fellows, Francis, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Ream, Robinson, Savage, Smith, Spaulding, Taylor, Thomas, Wilson of Appanoose—32.

Absent or not voting:

Cowles, Crow, DeWolf, Farr, Garrett, Hagemann, Hilsinger, Jewell, Perkins, Sullivan, Webber, White—12.

So the amendment was lost.

Senator Mattes moved the adoption of the following amendment recommended by the committee on Suppression of Intemperance:

Strike out all of section 2 and insert in lieu thereof the following:

"Sec. 2. This act shall apply only to saloons within said distance from any normal school, college or university under the control of the State Board of Education, operated under petitions of consent circulated and declared sufficient after the passage hereof."

Senator Sullivan moved the previous question on the amendment pending.

Carried.

The ayes were:

Ames, Balluff, Boe, Cowles, Crow, DeWolf, Dunnegan, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Kimball, Legel, Mattes, McManus, Neal, Perkins, Quigley, Ream, Savage, Schrup, Sheean, Sullivan, Webber, White, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

Allen, Arney, Balkema, Chase, Clarkson, Crist, Darrah, Doran, Farr, Fellows, Francis, Jones, Larrabee, Malmberg, McColl, Nye, Robinson, Smith, Spaulding, Taylor, Thomas—21.

Absent or not voting:

None.

So the amendment was adopted.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by inserting in the 7th line of section 1, after the word "university," and before the word "under" the words "situated within the limits of any city or town and."

On the adoption of the amendment, a roll call was demanded.

The ayes were:

Arney, Balluff, Cowles, Crow, DeWolf, Farr, Francis, Hagemann, Heald, Hilsinger, Kimball, Legel, Mattes, McManus, Perkins, Quigley, Ream, Savage, Sheean, Smith, Sullivan, Webber, White, Wilson of Appanoose, Wilson of Clinton—25.

The nays were:

Allen, Ames, Boe, Cowles, Crow, Doran, Dunnegan, Fellows, Jewell, Jones, Larrabee, Malmberg, McColl, Neal, Nye, Robinson, Spaulding, Thomas—18.

Absent or not voting:

Balkema, Chase, Clarkson, Garrett, Gillette, Schrup, Taylor—7.

So the amendment was adopted.

The bill was read for information.

Senator Sullivan moved the previous question.

Carried.

Senator Mattes 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Gillette, Heald, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—33.

The nays were:

Balluff, Cowles, DeWolf, Farr, Hagemann, Hilsinger, Legel, McManus, Quigley, Ream, Savage, Schrup, Sheean, Webber, White, Wilson of Clinton—16.

Absent or not voting:

Garrett—1.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 114, a bill for an act to amend section 458-c, of the supplement to the code, 1907, and chapter 32 of the acts of the thirty-third general assembly, relating to the payment of claims for injuries to domestic animals.

Also:

Senate File No. 177, a bill for an act to repeal the law as it appears in sections six hundred forty-eight (648) and six hundred fifty-one (651) of the supplement of the code, 1907, and to enact substitutes therefor, relative to the election and appointment of certain officers in cities and towns.

Also:

Substitute for Senate File No. 95, a bill for an act to legalize the incorporation of the town of Sharpsburg, Taylor county, Iowa, the election of its officers, the passage and record of all valid ordinances and resolutions, and all acts done that were not in compliance with law by the council of said town.

Also:

Substitute for Senate File No. 13, a bill for an act to repeal section three hundred sixty-four (364) of the code, relating to investment of money and to enact a substitute therefor.

Also:

Senate File No. 156, a bill for an act repealing section one thousand three hundred twenty-six (1326) of the code and enacting a substitute in lieu thereof relating to the assessment of stock of building and loan associations.

Also:

Senate File No. 413, a bill for an act to legalize the incorporation and act and proceedings of Leopold Desk Company, of Burlington, Des Moines county, Iowa.

JOHN H. TAYLOR,
Chairman.

Passed on file.

Journal of April 3d was taken up, corrected and approved.

REPORTS OF COMMITTEES.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT.—Your committee on Appropriations to whom was referred Senate File No. 410, a bill for an act to promote the purposes and work of the Iowa State Conference of Charities and Correction, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 410.

A BILL for an Act to Promote the Purposes and work of the Iowa State Conference of Charities and Correction.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the board of supervisors of each county of the state and the council of each city and incorporated town of the state are hereby authorized to appoint not more than two delegates each year for each county, city or town, to attend the annual meetings of the Iowa State Conference of Charities and Correction, and to pay the actual traveling and hotel expenses of such delegates necessarily incurred in attending such meetings, in the same manner as other bills against the county, city or town are paid.

Sec. 2. The official reports of the annual meetings of the conference shall be published as are state documents by and at the cost of the state. The number of copies of each report to be published shall be designated by the executive committee of the conference, but shall not exceed one thousand, and of the copies printed a copy shall be delivered to each state officer, to each member of the general assembly and to each public library of the state, and fifty copies shall be delivered to the state library for use and exchange. The remaining copies shall be distributed as the president and secretary of the conference shall direct in writing, and when so amended the bill do pass.

JOS. MATTES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your committee on Appropriations to whom was referred House File No. 143, a bill for an act to repeal the law as it appears in section twenty-five hundred sixty-four (2564) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the State Board of Health, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Insert in line twenty-two (22) of section one (1) between the words "be" and "required" the words "needed or," and also insert in line twenty-five (25) of section one (1), between the words "exceed" and "twenty-five" the words and figures "eight dollars ($8.00) per day nor." Also strike out in line twenty (20) on page three (3), all in section one (1) the words and figures "twelve hundred (1200) dollars" and insert in lieu thereof the words and figures "nine hundred dollars

($900.00)." Also amend section two (2) by inserting in the second (2d) line thereof, between the words "made" and "for," near the middle of the line, the words "The State Board of Health," and when so amended the bill do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your committee on Suppression of Intemperance to whom was referred House File No. 245, a bill for an act to prohibit public treating to intoxicating liquors and prescribing penalties therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOS. MATTES,
Chairman.

Senator Mattes moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT.—Your committee on Appropriations to whom was referred Senate File No. 146, a bill for an act to amend section two (2), five (5) and eight (8), ten (10), twelve (12), fifteen (15) and sixteen (16) of chapter one hundred twenty-eight (128), acts of the Thirty-fourth General Assembly, relative to the duties and compensation of the state fire marshal and the deputy state fire marshal, and making an appropriation for the maintenance of the state fire marshal's office, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL for an Act to Amend Section Two (2), Five (5) and Eight (8), Ten (10), Twelve (12), Fifteen (15) and Sixteen (16) of Chapter One Hundred Twenty-eight (128), Acts of the Thirty-fourth General Assembly, relative to the duties and compensation of the State Fire Marshal and the Deputy State Fire Marshal, and Making an Appropriation for the maintenance of the State Fire Marshal's Office.

Be it Resolved by the General Assembly of the State of Iowa:

Section 1. That section five (5), chapter one hundred twenty-eight (128), of the acts of the Thirty-fourth General Assembly be, and the same is hereby amended by adding thereto the following:

"Any chief of a fire department, mayor or township clerk who fails or refuses to make the investigation and report required of him by this section shall be deemed guilty of a misdemeanor, and shall, upon conviction, be fined in a sum not less than five ($5.00) dollars, nor more than one hundred ($100.00) dollars."

Sec. 2. That section ten (10), chapter one hundred twenty-eight (128), of the acts of the Thirty-fourth General Assembly be, and the same is hereby amended by striking out the word "and" after the comma in the eleventh line of said section and inserting in lieu thereof the word "or."

Sec. 3. That section twelve (12), chapter one hundred twenty-eight (128), of the acts of the Thirty-fourth General Assembly be, and the same is hereby amended by striking out the words and figures "twelve thousand five hundred ($12,500)" in the tenth and eleventh lines of said section and inserting in lieu thereof the words and figures "thirteen thousand five hundred ($13,500).

Sec. 4. That section fifteen (15), chapter one hundred twenty-eight (128), of the acts of the Thirty-fourth General Assembly be, and the same is hereby amended by striking out the words "who do not receive compensation for their services as such chiefs and mayors" in lines two and three of said section and by inserting after the word "thereto" in the seventh line of said section the words "there shall be paid to township clerks."

Sec. 5. That section sixteen (16), chapter one hundred twenty-eight (128), of the acts of the Thirty-fourth General Assembly be, and the same is hereby amended by striking out from lines two and three thereof the words and figures "twelve thousand five hundred $$12,500)" and inserting in lieu thereof the words and figures "thirteen thousand five hundred ($13,500)"; and when so amended the bill do pass.

JOS. MATTES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Ames, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate File No. 421, a bill for an act to amend section sixteen hundred fifty-seven-e (1657-e) of the Supplement to the Code, 1907, relative to the qualifications of board of directors of the state board of agriculture, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. AMES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate File No. 505, a bill for an act to amend section sixteen hundred sixty (1660) of the Supplement to the Code, 1907, to aid county agricultural societies, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. L. AMES,
Chairman.

Senator Ames moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Dunnegan filed the following motion:

MR. PRESIDENT—I move to reconsider the vote on House File No. 439, by Anderson.

J. J. DUNNEGAN.

Senator Robinson introduced a concurrent resolution and moved that the resolution be printed in the Journal and that consideration of the resolution go over under the rule.

Senator DeWolf moved that the resolution be referred to the committe on the Suppression of Intemperance.

Senator Allen arose to a point of order. His point of order was that when objection was made to consideration of a concurrent resolution, that it would go over and be printed in the Journal.

The President held that under rule thirty-nine, the last clause of which is, "nothing in this rule shall abridge or prevent the usual right to reference to committee," that the motion of Senator DeWolf was in order.

Senator Allen did not press his point of order.

Senator Kimball arose to the point of order that under rule sixteen the resolution could not be introduced except by a committee.

The President held that rule sixteen referred to bills and joint resolutions and did not refer to concurrent resolutions.

Senator Webber arose to the point of order that under the rules no bill or resolution could be introduced after March 30th.

The President held that the rule did not apply to concurrent resolutions.

Senator Dunnegan moved that the Senate do now adjourn.

Motion lost.

Senator Gillette moved as a substitute for the motion of Senator DeWolf that the resolution be referred to the committee on Printing.

Carried and resolution so referred.

The Chair announced that under Rule 15 the resolution would not be printed in the Journal.

Senator Francis 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, APRIL 5, 1913.

Senate met in regular session at 9 o'clock a. m., President Harding presiding.

Prayer was offered by Rev. M. E. Nethercut, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Mattes presented a remonstrance of citizens of Glidden, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Jones presented a remonstrance of citizens of Red Oak, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crow presented a remonstrance of citizens of Fifth Senatorial district protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balkema presented a remonstrance of citizens of Doon, Hawarden and Chatsworth, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Doran presented a remonstrance of citizens of Boone county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Clinton presented a remonstrance of citizens of Clinton county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Boe presented a remonstrance of citizens of Winnebago county opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Boe presented a remonstrance of citizens of Winnebago county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Hagemann presented a petition of citizens of Bremer-Butler counties urging passage of "daylight saloon bill."

Referred to committee on Suppression of Intemperance.

Senator White presented a remonstrance of citizens of Iowa county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson presented a remonstrance of citizens of Appanoose county opposing a permanent tax commission.

Referred to committee on Ways and Means.

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. 666, a bill for an act to amend section 2761 of the Code, relating to the duties of secretaries of school boards.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 673, a bill for an act to prohibit public officers or deputies from divulging any part of the contents of sealed bids and to fix and declare the liquidated damages inuring in favor of muncipal corporations by reason of the violation of such prohibition.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 659, a bill for an act to prohibit municipal corporations from entering into any contract for the construction of highway pavements, consisting, in whole or in part, of any patented process.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 554, a bill for an act to amend the law as it appears in section 669 of the Supplement to the Code, 1907, relating to the compensation of councilmen when acting as members of the board of review.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 658, a bill for an act to legalize the platting of an addition to the town of Kensett, Iowa, executed by Mrs. Margaret Lukason, dated March 21, 1898, and filed for record in the office of the recorder of Worth county, Iowa, April 9, 1898.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 667, a bill for an act to amend section 1 of chapter 145 acts of the Thirty-fourth General Assembly, relative to the limit of indebtedness of independent school districts.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 to repeal section 293 of the Code, and to enact a substitute therefor, relating to the keeping of criminal statistics.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 378, a bill for an act relating to elections and to permit any qualified voter to cast his ballot in any precinct within the state at general and primary elections, under certain conditions and restrictions.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 583, a bill for an act to amend the law as it appears in section 3348 of the Code, relating to the payment of claims against the estates of decedents.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 368, a bill for an act repealing the law as it appears in section 2450, Supplement to the Code, 1907, and providing a substitute therefor, relating to statements of consent to keep for sale and sell intoxicating liquors under the mulct law.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 308, a bill for an act declaring telegraph companies and telephone companies to be common carriers and subject to the laws governing common carriers as far as applicable, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 466, a bill for an act to repeal section 4897-a of the Supplement to the Code, 1907, relating to fire escapes from the penitentiary and reformatory, including violations of parole.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 528, a bill for an act to amend the law as it appears in section 2 of chapter 70, acts of the Thirty-fourth General Assembly, relating to the dragging of public roads.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 431, a bill for an act to repeal section 850-c of the Supplement to the Code, 1907, as amended by chapter 57 of the acts of the Thirty-third General Assembly and chapter 44 acts of the Thirty-fourth General Assembly, relating to the tax levy for park purposes.

Chief Clerk.
A. C. GUSTAFSON,

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 362, a bill for an act to amend the law as it appears in section 2622, Supplement to the Code, 1907, and to repeal the law as it appears in section 2738, Supplement to the Code, 1907, as amended by chapter 130, acts of the Thirty-fourth General Assembly, relating to normal institutes.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 547, a bill for an act to amend the law as it appears in section 2594 of the Code, relating to licensing itinerant venders of drugs.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 promote patriotism and to provide for the display of the flag of the United States of America upon public buildings and within certain public buildings of the state.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 515, a bill for an act to amend section 1304 of the Supplement to the Code, 1907, as amended by chapter 61 of the acts of the Thirty-fourth General Assembly, relating to the exemption of certain classes of property from taxation.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 592, a bill for an act to repeal the law as it appears in section 4913-a of the Supplement to the Code, 1907, in regard to bringing into state institutions drugs or liquors or weapons, explosives or other articles for use in making or attempting an escape.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 358, a bill for an act legalizing a resolution passed by the council of the city of Atlantic on February 27, 1913, transferring the sum of $1,800.00 from the sewer fund of said city to the general fund of said city of Atlantic, Iowa, and legalizing such transfer.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 16, a bill for an act to repeal section 3379 of the Code and to enact a substitute therefor, relating to the share of surviving spouse.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Substitute for Senate File No. 27, a bill for an act to require all railroads to adopt a certain gauge.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 378, a bill for an act to amend section 2113 of the Supplement to the Code, 1907, as amended by chapter 127 of the acts of the Thirty-third General Assembly, relating to the powers of the board of railway commissioners.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the conference committee report, and adopted the conference committee amendments to Senate File No. 44, a bill for an act to fix the compensation of the wardens and of certain officers of the reformatory at Anamosa and the state penitentiary at Ft. Madison, repealing sections 5717 and 5718 of chapter 2, title 26 of the Code, and the law as found in sections 5716 and 5718-a-28, chapter 2, title 26 of the Supplement to the Code.

A. C. GUSTAFSON,
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. 456, a bill for an act authorizing cities and towns to adopt a building code and to provide penalties for the violation thereof.

A. C. GUSTAFSON,
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. 192, a bill for an act relating to the time of bringing an action to set aside a will.

A. C. GUSTAFSON,
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. 424, a bill for an act to amend section 2017 of the Code, relating to the right of way of railway companies to raise or lower highways.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution relative to a recognition of the services of Charles G. Patten in regard to fruit tree culture.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House returns herewith as requested Senate concurrent resolution relative to the appointment of a commission to investigate foreign methods of agriculture.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Chase, Senate File No. 486, a bill for an act to legalize the passage, adoption and publication of the ordinances of the incorporated town of Rowan, Wright county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Chase offered the following amendment and moved its adoption:

Strike out the word "Daily" in the publication clause.

Adopted.

Senator Chase 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Cowles, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Hagemann, Heald, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

None.

Absent or not voting:

Clarkson, Crist, DeWolf, Farr, Francis, Gillette, Hilsinger, Jewell, Jones, Kimball, McColl, McManus, Quigley, Savage, Smith, Spaulding, Sullivan, Webber—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Chase, House File No. 115, a bill for an act to amend section 740 of the supplement to the code, 1907, as amended by chapter 47 of the acts of the Thirty-third General Assembly, relating to powers of counties, cities, towns, civil townships wholly outside any city or incorporated town and school corporation to take property by gift or bequest, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Chase moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Chase moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hagemann, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Ream, Robinson, Schrup, Sheean, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Clarkson, Cowles, Crist, DeWolf, Gillette, Heald, Hilsinger, Jewell, Kimball, McManus, Perkins, Quigley, Savage, Smith, Spaulding, Webber—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Mattes moved that the Senate request the House to return to the Senate, House File No. 647.

Carried.

THIRD READING OF BILLS.

On motion of Senator Sullivan, Senate File No. 465, a bill for an act to legalize the special election held in the city of Valley Junction, Iowa, on the 14th day of March, 1913, wherein there was submitted to the voters of said city the question of purchasing or erecting and establishing a water works and electric light and power plant, and also the question of thei issuance of bonds in a sum not to exceed $65,000.00 for water works and electric light and power plant purposes, and to validate and legalize the proceedings of the city council had in relation to said special election preliminary to the holding thereof, and to legalize the ballots used at said special election; the acts of the election boards in the conduct of said election and in making the returns thereof; the action of the city council in canvassing the returns of said election and declaring the result thereof, and to legalize the bonds to be issued in pursuance thereof, with report of of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Allen, Clarkson, Cowles, Crist, DeWolf, Hagemann, Heald, Hilsinger, Jewell, Mattes, McManus, Savage, Schrup, Smith, Spaulding, Webber—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Farr, Senate File No. 471, a bill for an act to amend the law as it appears in section 298 of the supplement to the code, 1907, as amended by chapter 16 of the acts of the Thirty-third General Assembly, relating to the compensation of clerks of the district court and their deputies, was report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Farr 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 ayes were:

Ames, Arney, Balkema, Boe, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Sullivan, Thomas, White, Wilson of Appanoose—34.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Chase, Clarkson, Cowles, Hagemann, Heald, McColl, McManus, Quigley, Savage, Smith, Spaulding, Taylor, Webber, Wilson of Clinton—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Boe, Senate File No. 492, a bill for an act to legalize the platting of an addition to the town of Kensett, Iowa, execued by Mrs. Margaret Lukason, dated March 21, 1898, and filed for record in the office of Worth county, Iowa, April 9, 1898, with report of committee recommending passage, was taken up considered, and the report of the committee adopted.

Senator Boe 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 ayes were:

Arney, Balkema, Boe, Chase, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Gillette, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Spaulding, Taylor, Thomas, White, Wilson of Appanoose—32.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balluff, Clarkson, Cowles, DeWolf, Farr, Garrett, Hagemann, Heald, Jewell, McColl, Savage, Shrup, Smith, Sullivan, Webber, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator White, Senate File No. 518, a bill for an act to amend the law relating to the time within which appeals may be taken to the supreme court as the same appears in section

4110 of the code and section 5448 of the code as amended by chapter 228 of the acts of the Thirty-third General Assembly, with report of committee recommending passage, was taken up, considered and the report of the committee was adopted.

Senator White 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Ream, Robinson, Schrup, Sheean, Spaulding, Taylor, Thomas, White, Wilson of Appanoose --37.

The nays were:.

None.

Absent or not voting:

Balluff, Cowles, DeWolf, Heald, Legel, McManus, Perkins, Quigley, Savage, Smith, Sullivan, Webber, Wilson of Clinton—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Thomas, Senate File No. 463, a bill for an act to amend the law as it appears in section twenty-six hundred thirty-four-a (2634-a) supplement to the code, 1907, relating to the employment of help by the educational board of examiners, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Thomas moved the adoption of the following amendments:

By changing the words and figures "sixteen hundred ($1600)" in the last line to "fifteen hundred ($1500)."

Adopted.

Senator Thomas 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, Quigley, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

DeWolf, Farr, Gillette, Heald, Legel, McColl, McManus, Neal, Nye, Perkins, Savage, Smith, Taylor, Webber—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

HOUSE MESSAGES CONSIDERED.

House File No. 666, a bill for an act to amend section twenty-seven hundred sixty-one (2761) of the code, relating to the duties of secretaries of school boards.

Read first and second time and referred to committee on Schools.

House File No. 673, a bill for an act to prohibit public officers or deputies from divulging any part of the contents of sealed bids and to fix and declare the liquidated damages inuring in favor of municipal corporations by reason of the violation of such prohibition.

Read first and second time and referred to committee on Cities and Towns.

House File No. 659, a bill for an act to prohibit municipal corporations from entering into any contract for the construction of highway pavements consisting in whole or in part of any patented process.

Read first and second time and referred to committee on Cities and Towns.

House File No. 554, a bill for an act to amend the law as it appears in section six hundred sixty-nine (669) of the supplement to the code, 1907, relating to the compensation of councilmen when acting as members of the board of review.

Read first and second time and referred to committee on Cities and Towns.

House File No. 658, a bill for an act to legalize the platting of an addition to the town of Kensett, Iowa, executed by Mrs, Margaret Lukason, deceased, dated March 21, 1898, and filed for record in the office of the recorder of Worth county, Iowa, April 9, 1898.

Read first and second time and referred to committee on Judiciary.

House File No. 667, a bill for an act to amend sectione one (1) of chapter one hundred forty-five (145) acts of the Thirty-fourth (34th) General Assembly, relative to the limit of indebtedness of independent school districts.

Read first and second time and referred to committee on Schools.

House File No. 489, a bill for an act to repeal section two hundred ninety-three (293) of the code and all amendments thereto and an act to substitute therefor relating to the keeping of criminal statistics by the clerk of the district court and the reporting of same to the board of parole.

Read first and second time and referred to committee on Judiciary.

House File No. 583, a bill for an act to amend the law as it appears in section thirty-three hundred forty-eight (3348) of the code, relating to the payment of claims against the estates of decedents.

Read first and second time and referred to committee on Judiciary.

House File No. 368, a bill for an act repealing the law as it appears in section twenty-four hundred fifty (2450) supplement to the code, 1907, and providing a substitute therefor relating to statements of consent to keep for sale and sell intoxicating liquors under the mulct law.

Read first and second time and referred to committee on Suppression of Intemperance.

House File No. 308, a bill for an act declaring telegraph companies and telephone companies to be common carriers, and subject to the laws governing common carriers so far as applicable, and placing telegraph and telephone companies operating within this state under the supervision of the Railroad Commissioners, and giving to such Railroad Commissioners power and authority to inquire into unjust discrimination, neglect or violation of the laws governing common carriers, and to compel such telegraph and telephone companies to make such suitable connection at points where competing companies have offices or terminals, and providing penalties for the violation of this act.

Read first and second time and referred to committee on Telegraph and Telephone.

House File No. 466, a bill for an act to repeal section four thousand eight hundred ninety-seven-a (4897-a) of the supplement to the code, 1907, and to enact a substitute relating to escapes from the penitentiary and reformatory, including violations of parole.

Read first and second time and referred to committee on Penitentiaries and Pardons.

House File No. 528, a bill for an act to amend the law as it appears in section two (2) of chapter seventy (70), acts of the Thirty-fourth (34) General Assembly, relating to the dragging of public roads.

Read first and second time and referred to committee on Roads and Highways.

House File No. 431, a bill for an act to repeal section eight hundred fifty-c (850-c) of the supplement to the code, 1907, as amended by chapter fifty-seven (57) of the acts of the Thirty-third General Assembly, and Chapter 44, acts of the Thirty-fourth

General Assembly, relating to the tax levy for park purposes, and to enact a substitute therefor.

Read first and second time and referred to committee on Cities and Towns.

House File No. 378, a bill for an act relating to elections and to permit any qualified elector to cast his ballot in any precinct within the state at general elections, under certain conditions and restrictions.

Read first and second times and referred to committee on Elections.

House File No. 362, a bill for an act to amend the law as it appears in section twenty-six hundred twenty-two (2622), supplement to the code, 1907, and to repeal the law as it appears in section twenty-seven hundred thirty-eight (2738), supplement to the code, 1907, as amended by chapter one hundred thirty (130), acts of the 34th General Assembly, and to enact a substitute therefor, relating to normal institutions.

Read first and second time and referred to committee on Schools.

House File No. 547, a bill for an act to amend the law as it appears in section twenty-five hundred ninety-four (2594) of the code relating to licensing itinerant vendors of drugs.

Read first and second time and referred to committee on Pharmacy.

House File No. 458, a bill for an act to promote patriotism and to provide for the display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state.

Read first and second time and referred to committee on Military.

House File No. 515, a bill for an act to amend section thirteen hundred four (1304) of the supplement to the code, 1907, as amended by chapter sixty-one (61) of the acts of the Thirty-fourth General Assembly relating to the exemption of certain classes of property from taxation.

Read first and second time and referred to committee on Ways and Means.

House File No. 592, a bill for an act to repeal the law as it appears in section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1907, and to enact a substitute therefor in regard to bringing into certain state institutions, and other places where inmates may lawfully be, drugs or liquors, or weapons, explosives or other article for use in making or attempting an escape.

Read first and second time and referred to committee on Board of Control and its Institutions.

Senator Taylor filed the following motion:

"I move to reconsider the vote by which the report of the committee on the Suppression of Intemperance was adopted, indefinitely postponing House File No. 245, by Helming."

J. H. TAYLOR.

REPORTS OF COMMITTEES.

Senator Arney, from the committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Educational Institutions to whom was referred Senate File No. 322, a bill for an act to promote patriotism and to provide for the display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state; beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out every thing following the enacting clause, and the following be inserted in lieu thereof:

Section 1. It shall be the duty of the board of directors of each school corporation of this state, when weather suitable therefore shall prevail, to display upon the school grounds of such school corporation, the flag of the United States of America during all the time such school is in session, and to provide a suitable flag-pole and flag for such purposes.

Sec. 2. It shall be the duty of the custodians of all public buildings of the State of Iowa, to raise over such building the flag of the United States of America.

Sec. 3. That within each court room, within which shall be held the session of any court authorized under the laws of this state, there shall be displayed, in an appropriate manner and place during all of the hours of the session of said court, the flag of the United States of America, and it shall be the duty of the judge or justice presiding over such court to see that the provisions of this section are complied with by the authority charged with the maintenance and equipment of such court room; and when so amended the bill do pass.

W. H. ARNEY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Educational Institutions to whom was referred House File No. 12, a bill for an act to amend the law as it appears in section two thousand six hundred thirty-four-f (2634-f) of the Supplement to the Code, 1907, relating to the acceptance of graduation from institutions of higher learning as evidence that a teacher possesses the scholarship and professional fitness for state certificate, beg leave to report they have had the same under consideration and recommend the same do pass.

W. H. ARNEY,
Chairman.

Ordered passed on file.

Senator Malmberg, from the committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your committee on Constitutional Amendments to whom was referred House Joint Resolution No. 1, proposing to amend the constitution so as to provide for the taxing of income privileges, and occupations and providing that such taxes may be graduated and progressive and providing for reasonable exemption; beg leave to report they have had the same under consideration and recommend the same do pass.

ED. P. MALMBERG,
Chairman.

Ordered passed on file.

On request of Senator Boe, leave of absence was granted Senator DeWolf for the day.

On request of Senator McColl leave of absence was granted Senator Webber for the day.

On request of Senator McColl, leave of absence was granted Senator Smith for the day.

Senator Dunnegan moved that the Senate request the House to return to the Senate, House File No. 439.

Carried.

THIRD READING OF BILLS.

On motion of Senator Ames, Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa state college of Agriculture and Mechanic Arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing

of hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151) of the acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) of the acts of the Thirty-fourth General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ames offered the following amendment and moved its adoption:

I move to amend section 2 of the printed bill by adding thereto the following:

"The director of the serum laboratory is authorized to purchase serum or other biological products which he deems reliable and he may sell the same at approximate cost in the same manner as products of the laboratory are sold, at any time it appears to him that the available supply will not be sufficient to meet the demand."

Adopted.

Senator Ames offered the following amendment and moved its adoption:

Amend section 3 of the printed bill by inserting in the eighth line thereof, immediately following the word "manufacture" and before the word "and," a comma and the word "purchase."

Adopted.

Senator Ames offered the following amendment and moved its adoption:

Amend section 6 of the printed bill by striking out from same all the words beginning with the word "veterinary" in the eleventh line and ending with the period in the thirteenth line of same, and inserting in lieu thereof the following:

"official work of, first veterinary members of the animal health commission or, second, veterinary appointees of said commission, or third, representatives of the United States bureau of animal industry; but all virulent blood or virus used by such persons, shall be reported to the director of the serum laboratory in such manner as he may require."

Adopted.

Senator Larrabee offered the following amendment and moved its adoption:

I move to amend section 11 by striking out the words and figures "fifty thousand dollars ($50,000)" and inserting in lieu thereof the words and figures, twenty-five thousand dollars ($25,000)."

Amendment withdrawn.

Senator Ames 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.

Senator Perkins was called to the chair at 10:15.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Savage, Sheean, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Cowles, DeWolf, Heald, Legel, Mattes, Robinson, Schrup, Smith, Spaulding, Taylor, Webber—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Savage filed the following explanation of his vote on Senate File No. 507:

I vote "aye" upon Senate File 507, though much preferring that the manufacture of the serum be carried on at some other place than Ames. I believe that placing the matter at Ames will prove detrimental to the best interests of the agricultural college as an educational institution. The use of serum will not aways prove satisfactory and in cases of failure

the fault will be charged to the college and reflect upon it in an unsatisfactory way. To my mind many reasons present themselves why the manufacture should be carried on at some other place.

A. C. SAVAGE.

EXPLANATION OF VOTE.

I vote "yes" on the bill because I think it important that a state serum plant be established. I do not, however, think the plant should be located at Ames, because it tends to commercialize the college and makes it responsible for the results of the serum treatment over the state, and for quarantines if any should be established. I think the plant should have been located under the jurisdiction and supervision of the animal health commission, in order that there might have been a single responsibility in manufacture, distribution and administration.

ED. P. MALMBERG.

THIRD READING OF BILLS.

On motion of Senator McColl, Senate File No. 474, a bill for an act to amend the law as it appears in an act passed by the Thirty-fifth (35th) General Assembly and approved on the 20th day of March, A. D. 1913, and entitled "A bill for an act additional to chapter five (5) title ten (10) of the code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same." with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

President Harding resumed the chair at 10:30.

Senator McColl 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Malmberg, McColl, Neal, Perkins, Quigley, Ream, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

DeWolf, Farr, Heald, Jewell, Legel, Mattes, McManus, Nye, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Taylor, Webber—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Arney moved that the committee on schools be requested to return to the Senate, House File No. 340.

Carried.

House File No. 340 was returned to the Senate by committee on Schools.

THIRD READING OF BILLS.

On motion of Senator Arney, House File No. 340, a bill for an act to amend the law as it appears in sections ten hundred seventy-two (1072), twenty-seven hundred forty-two (2742), and twelve hundred seventy-two (1272), supplement to the code, 1907, relating to the office of county superintendent of schools; to repeal section twenty-seven hundred thirty-four-b (2734-b) supplement to the code, 1907, relating to the office of county superintendent of schools and to provide for the election, qualifications, duties and compensation of a county superintendent of schools, was taken up, and considered.

The bill was read for information.

Senator Thomas offered the following amendment and moved its adoption:

Amend by substituting the word "congressional," for "civil" wherever it appears in the bill.

Adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend section 3 of the bill by inserting after the figures 19, 18 in the 10th line of said section, the following: "provided that any county superintendent of schools now serving shall be deemed eligible to re-appointment under this act."

Adopted.

Senator Jones offered the following amendment and moved its adoption:

I move to amend by striking out the last four paragraphs of section two (2) and insert the following: "he shall receive a salary of fifteen hundred dollars a year, the expenses of necessary office stationery and postage and those incurred in attendance upon meetings called by the superintendent of public instruction; claims therefor to be made by verified statements, filed with the county auditor, who shall draw his warrant upon the county treasurer therefor and the board of supervisors may allow such further sum by way of compensation as may be just and proper."

Adopted.

Senator Arney 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Cowles, Crist, Crow, Darrah, Dunnegan, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Mattes, Neal, Nye, Robinson, Savage, Spaulding, Sullivan, Thomas, Wilson of Appanoose —30.

The nays were:

Doran, Malmberg, McManus, Ream—4.

Absent or not voting:

Ames, Chase, Clarkson, DeWolf, Farr, Fellows, Kimball, McColl, Quigley, Schrup, Sheean, Smith, Taylor, Webber, White, Wilson of Clinton—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

By unanimous consent, Senator Arney withdrew Senate File No. 227 from further consideration by the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your Joint committee on Enrolled Bills respectively report they have examined and find correctly enrolled:

House Joint Resoution No. 3, joint resolution proposing an amendment to the constitution of the state of Iowa, repealing section seven (7) of article two (2) of said constitution and proposing a substitute therefor, relating to and providing for the time of holding general elections.

Also:

House File No. 260, a bill for an act to amend section two thousand seven hundred twenty-seven-c (2727-c) of chapter eleven-a (11-a) of the Supplement to the Code, 1907, relating to college for blind.

Also:

House File No. 424, a bill for an act to amend section two thousand seventeen (2017) of the Code, relating to the right of railroad companies to raise or lower highways where they are crossed by railroads, and giving the boad of railroad commissioners authority to order undergrade or overhead crossings.

Also:

House File No. 192, a bill for an act to amend the law as it appears in section three thousand four hundred forty-seven (3447) of the Code, relating to the limitation of actions to set aside wills.

Also:

House File No. 456, a bill for an act authorizing cities and towns including those acting under special charter and cities under the commission form of government to adopt a building code and to provide penalties for violation thereof.

Also:

House File No. 509, a bill for an act to repeal section one (1) of chapter forty-nine (49) of the acts of the Thirty-fourth General Assembly reating to the improvement of water fronts in cities acting under special charter and enacting a substitute therefor and to amend section two (2) of chapter forty-nine (49) of the acts of the Thirty-fourth General Assembly relating to the levee improvement commission in such cities.

Also:

House File No. 653, a bill for an act to repeal section three (3) of chapter one hundred eighteen (118) of the acts of the Thirty-fourth General Assembly, providing for the distraint of deer; and to enact a substitute therefor.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

THIRD READING OF BILLS.

On motion of Senator Allen, Senate File No. 517, a bill for an act repealing section 2024-l of the supplement to the code of Iowa of 1907,' and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of Supervisors to condemn said land, making said material accessible for general use for road improvement and providing punishment for use of said material for other than road purposes, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Allen moved the substitute for the original bill be adopted.

Adopted.

Senator Allen offered the following amendment and moved its adoption:

I move to amend the bill and title by striking out the letter "l" following the number "2024" wherever the same appears in said bill and title, and insert the letter "i" in lieu thereof.

Adopted.

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 ayes were:

Allen, Arney, Balkema, Boe, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Gillette, Hagemann, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, McManus, Neal, Nye, Robinson, Savage, Schrup, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Ames, Balluff, Chase, DeWolf, Farr, Garrett, Heald, Larrabee, McColl, Perkins, Quigley, Ream, Sheean, Smith, Webber—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On request of Senator Boe, leave of absence was granted Senator Balluff for the balance of the day.

On request of Senator Wilson of Appanoose, leave of absence was granted Sheean until Tuesday.

THIRD READING OF BILLS.

On motion of Senator Cowles, Senate File No. 367, a bill for an act relating to levees, drains, ditches and water courses additional to chapter 2, title X of the code and amendments thereto and to chapter 2-a, title X of the supplement to the code, 1907, and amendments thereto and amending section 1989-a-21 and

section 1989-a-52 of the supplement to the code, 1907, and section 1989-a-49 as amended by section 7, chapter 87, laws of the Thirty-fourth General Assembly, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Cowles moved the adoption of the following amendment:

By inserting before the word "upon" at the beginning of line 3, of section one, the words "having and operating a pumping station."

Adopted.

Senator Garrett offered the following amendment and moved its adoption:

I move to amend Senate File No. 367 by striking out of the first line of section 4 of the printed bill the word "one" and insert in lieu thereof, the word and figure two "(2)."

Also amend by striking out the word "annually" in the first line of section five of the printed bill and inserting in lieu thereof the word "biennially".

Also amend the following as section 7 of the printed bill: "Section 7. Such trustee shall, from time to time, and with reasonable promptness furnish the auditor of each county in which any part of said district is situated with a correct record of their acts and proceedings, which statement must be signed by at least two of their number and shall be recorded by the auditor in the drainage record."

Adopted.

Senator Cowles 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 ayes were:

Allen, Arney, Balkema, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Hilsinger,

Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Taylor, White, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Ames, Balluff, Boe, DeWolf, Farr, Francis, Hagemann, Heald, Jewell, Jones, McManus, Sheean, Smith, Spaulding, Thomas, Webber, Wilson of Appanoose—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Clarkson, House Joint Resolution No. 10, House Joint Resolution amending Senate Joint Resolution No. 1, of the Thirty-fifth (35th) General Assembly relating to the compensation of additional employes of the Thirty-fifth General Assembly, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Clarkson moved the substitute for the original resolution be adopted.

Adopted.

Senator Malmberg offered the following amendment and moved its adoption.

I move to amend the substitute by striking out the words "seventy dollars per month as" in lines 5 and 6 of section one, and insert in lieu thereof the word "compensation."

Adopted.

Senator Clarkson moved that the rule be suspended, 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 ayes were:

Allen, Arney, Chase, Clarkson, Crist, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Hilsinger, Jewell, Jones, Larrabe, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Balluff, Boe, Cowles, DeWolf, Dunnegan, Gillette, Hagemann, Heald, Kimball, Sheean, Smith, Spaulding, Webber, White—16.

So the joint resolution having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On request of Senator Wilson of Clinton, leave of absence was granted Senator Spaulding for the remainder of the day.

On request of Senator Legel leave of absence was granted Senator White for the remainder of the day.

THIRD READING OF BILLS.

On motion of Senator Sullivan, Senate File No. 483, a bill for an act to confer additional powers on cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa, as the same appears in chapter fourteen-c (14-c) of title five of the 1907 supplement to the code, 1897, providing for the levy and collection of a special tax for the purchase, equipment, construction and maintenance of a garbage disposal plant, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan moved the adoption of the following amendment:

Amend by inserting after the word "city" in the first line of section two (2) the following:

"having a population of eighty thousand (80,000) or more."

Adopted.

Senator Sullivan 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 ayes were:

Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hilsinger, Jewell, Jones, Larrabee, Malmberg, Mattes, McColl, Neal, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balluff, DeWolf, Hagemann, Heald, Kimball, Legel, McManus, Nye, Sheean, Smith, Spaulding, Taylor, Thomas, Webber, White—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Neal moved that the committee on Public Health be requested to return to the Senate, House File No. 418.

Carried.

Committee on Public Health returned to the Senate, House File No. 418.

THIRD READING OF BILLS.

On motion of Senator Neal, House File No. 418, a bill for an act to repeal section ten (10) of chapter twenty-six (26) acts of the Thirty-third (33d) General Assembly and to enact a substitute therefor, relating to the maintenance of county hospitals, was taken up and considered.

Senator Neal 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 ayes were:

Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crist, Crow, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balluff, Darrah, DeWolf, Farr, Francis, Heald, Schrup, Sheean, Smith, Spaulding, Thomas, Webber, White—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

By unanimous consent Senator Neal withdrew Senate File No. 133 from further consideration by the Senate.

On motion of Senator Ream, Senate File No. 456, a bill for an act to amend the law as it appears in section twenty-five hundred forty (2540) supplement to the code, 1907, as amended by chapter one hundred fifty-three (153) acts of the Thirty-third General Assembly, relating to the use of trot lines, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ream 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 ayes were:

Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crist, Crow, Doran, Dunnegan, Farr, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—36

The nays were:

None.

Absent or not voting:

Allen, Ames, Balluff, Darrah, DeWolf, Fellows, Heald, Larrabee, Sheean, Smith, Spaulding, Thomas, Webber, White—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Francis House File No. 175, a bill for an act to amend section 2732 of chapter 12, title XIII of the supplement to the code, 1907, and section 2772 of the code, regulating the conduct of pupils of the county high schools and forbidding the use of tobacco by such pupils, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Francis 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 ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Cowles, Crist, Darrah, Doran, Dunnegan, Fellows, Francis, Hagemann, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Robinson, Savage, Sullivan, Wilson of Appanoose—28.

The nays were:

Garrett, Quigley, Ream—3.

Absent or not voting:

Allen, Balluff, Chase, Crow, DeWolf, Farr, Gillette, Heald, Hilsinger, McManus, Schrup, Sheean, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Savage, Senate File No. 70, a bill for an act to establish a department of public instruction, and to amend section ten hundred sixty-five (1065) of the supplement to the code, 1907, and to repeal chapter one (1) of title thirteen (13) of the code, and to repeal chapter one (1) of title thirteen (13) of the supplement to the code, 1907, as amended relative to the office of superintendent of public instruction, and to enact a substitute therefor, and to make the superintendent of public instruction, ex-officio, a member of the state board of education, was taken up and considered.

Senator Savage moved that the Senate concur in the following House amendments:

Amend paragraph 11, section 3 of the printed bill by striking out the first four words, "to prepare and publish" and substitute therefor the following: "he shall prepare and supply."

Amend section 7 of printed bill by striking out all of line one (1) and substituting therefor the following: "He may appoint a deputy whose appointment must be approved by the governor of the state. The qualifications of the deputy shall be the same as required by section 2 of this act. The deputy shall qualify in like manner as his principal and"

On the question "Shall the Senate concur in House Amendments?"

The ayes were:

Ames, Arney, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Jewell, Jones, Legel, Malmberg, McColl, Neal, Nye, Ream, Robinson, Savage, Schrup, Sullivan, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Balluff, DeWolf, Dunnegan, Heald, Hilsinger, Kimball, Larrabee, Mattes, McManus, Perkins, Quigley, Sheean, Smith, Spaulding, Taylor, Thomas, Webber, White—20.

So the House amendments having received a constitutional majority were declared 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 amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 80, a bill for an act to pension the survivors of the Spirit Lake relief expedition of 1857.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Boe, House File No. 498, a bill for an act authorizing and directing the governor and secretary of state to execute a quit claim deed conveying to J. B. Keeler all of the right, title and interest of the state of Iowa in or to lots 4, 5, 6 of section 13, township 99, Range, 33, West of the 5th P. M., with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Boe 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 ayes were:

Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Francis, Garrett, Gillette, Hagemann, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balluff, DeWolf, Fellows, Heald, Hilsinger, McManus, Sheean, Smith, Spaulding, Taylor, Thomas, Webber, White—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On request of Senator Nye, leave of absence was granted Senator Thomas for the remainder of the day.

HOUSE MESSAGE CONSIDERED.

Senate File No. 80, a bill for an act to pension the survivors of the Spirit Lake relief Expedition of 1857.

Senator Chase moved that the Senate concur in the following House amendment:

By striking out the figures "$30,00" in the fifth line thereof and inserting the figures "$20.00" in lieu thereof; also amend by adding after the word "month" and before the word "to" in the fifth line thereof the following "during the life-time of each such survivor."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Jewell, Jones, Kimball, Larrabee, Legel, Mattes, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Cowles, DeWolf, Heald, Hilsinger, Malmberg, McManus, Neal, Sheean, Smith, Spaulding, Thomas, Webber, White—15.

So the House amendments having received a constitutional majority were declared concurred in.

THIRD READING OF BILLS.

On motion of Senator Sullivan, Senate File No. 482, a bill for an act to confer additional powers upon certain cities organized under chapter forty-eight (48) of the Thirty-second General Assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the supplement to the code, 1907, providing for the levy and collection of a special tax for the purchase and maintenance of apparatus and equipment for use in police service in the department of public safety, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan moved the adoption of the following amendment:

Amend by adding thereto as section 6, the following: "Section 6. Provided, however, that this act shall apply only to cities having a population of eighty thousand (80,000) or more as shown by either the last United States or state census."

Adopted.

Senator Sullivan 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 ayes were:

Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crist, Crow, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Jewell, Jones, Kimball, Larrabee, Legel, Mattes, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Wilson of Clinton—32.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balluff, Darrah, DeWolf, Heald, Hilsinger, Malmberg, McManus, Neal, Sheean, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Appanoose—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Kimball, Senate File No. 475, a bill for an act to repeal section eight hundred sixteen (816) of the code and enacting a substitute therefor and relating to the lien of special taxes for the cost of making and reconstruction of city improvements and sewers, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball moved that the substitute for the original bill be adopted.

Adopted.

Further consideration postponed.

On motion of Senator Chase, House File No. 303, a bill for an act to require all persons, partnerships, companies or corporations owning or operating a railway in this state, to equip the cab of all locomotive engines with frost glass in front of the seat of the engineer and fireman of said engine, and providing a penalty for the violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Chase 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crow, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Mattes, McColl, Neal, Nye, Quigley, Ream, Robinson, Sullivan, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Crist, Darrah, DeWolf, Garrett, Malmberg, McManus, Perkins, Savage, Schrup, Sheean, Smith, Spaulding, Taylor, Thomas, Webber, White—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Savage, House File No. 440, a bill for an act to amend the law as it appears in section 3447 of the code, and to fix the time within which certain actions for the recovery of real estate may be brought, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Savage 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 ayes were:

Ames, Arney, Balkema, Boe, Chase, Cowles, Crist, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Clarkson, Crow, Darrah, DeWolf, Garrett, Hagemann, Kimball, Malmberg, McManus, Sheean, Smith, Spaulding, Thomas, Webber, White—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Robinson, Senate File No. 331, a bill for an act to amend section 2792 of the code of 1897, relating to te restoration of territory to the school district from which

it has been taken, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Robinson moved the substitute for the original bill be adopted.

Adopted.

Senator Robinson 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 ayes were:

Ames, Arney, Balkema, Clarkson, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Boe, Chase, Cowles, Crist, Crow, Darrah, DeWolf, Farr, Hagemann, Heald, Malmberg, McManus, Sheean, Smith, Spaulding, Thomas, Webber, White—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Cowles, Senate File No. 506, a bill for an act to amend section one (1), of chapter seventy-nine (79), of the laws of the Thirty-fourth General Assembly, relating to co-insurance clauses in policies of fire insurance companies, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Cowles moved that the substitute for the original bill be adopted.

Adopted.

Senator Cowles 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 ayes were:

Ames, Arney, Boe, Cowles, Crist, Doran, Dunnegan, Fellows, Garrett, Gillette, Hilsinger, Jewell, Kimball, Larrabee, Legel, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Balluff, Chase, Clarkson, Crow, Darrah, DeWolf, Farr, Francis, Hagemann, Heald, Jones, Malmberg, McManus, Sheean, Smith, Spaulding, Thomas, Webber, White—21.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Kimball introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

Be it Resolved by the Senate, the House Concurring:

That the state printer be required to print for members of the general assembly any stationery for which he may be provided with a printing order in regular form signed by the Secretary of the Senate or the Chief Clerk of the House, and the executive council is hereby directed to issue, through its secretary, to the state printer all necessary paper stock and envelopes required for this purpose and to credit the state printer with the paper stock and envelopes so used.

Laid over under the rules.

INTRODUCTION OF BILLS.

By committee on Appropriations, Senate File No. 542, a bill for an act to establish a department of agriculture; providing a board for the management thereof; providing the departments subject thereto and supervised thereby; prescribing the duties of said board; making an appropriation therefor, and repealing certain sections of the Code and amendments thereto and all acts and parts of acts in conflict therewith.

Read first and second time and ordered printed in the Journal:

A BILL for an Act Establishing a Department of Agriculture; Providing a Board for the Management Thereof; Providing the Departments Subject Thereto and Supervised Thereby; Prescribing the Duties of Said Board; Making an Appropriation Therefor, and Repealing Certain Sections of the Code and Amendments Thereto, and All Acts and Parts of Acts in Conflict Therewith.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. There is hereby established a department to be known and designated as "the department of agriculture," all power of which shall be vested in the board herein provided. The governor shall, prior to the adjournment of the Thirty-fifth General Assembly, nominate, with the consent of two-thirds of the members of the Senate in executive session, three electors of the state, not more than two of whom shall belong to the same political party and no two of whom shall reside at the time of their appointment in the same congressional district, as members of a board to be known as the state board of agriculture. Said members shall hold office as designated by the governor for two (2), four (4) and six (6) years respectively. Subsequent appointments shall be made as above provided and, except to fill vacancies, shall be for a period of six (6) years. The board shall at all times be subject to the above limitations and restrictions. No nomination shall be considered by the Senate until the same shall have been referred to a committee of five, not more than three of whom shall belong to the same political party, to be appointed by the president of the Senate without the formality of a motion, which committee shall report to the Senate in executive session, which report shall be made at any time when called for by the Senate. The consideration of nominations by the Senate shall not be had on the same legislative day the nominations are referred. The chairman of the board for each biennial period shall be the member whose term first expires, and each member thereof shall receive a salary of thirty-five hundred dollars ($3,500.00) per annum. The governor may, by and with the consent of the Senate, during a session of the general assembly, remove any member of the board for malfeasance or nonfeasance in office, or for any cause that renders him ineligible to appointment or incapable or unfit to discharge the duties of his office, and his removal when so made shall be

final. When the general assembly is not in session the governor may suspend any member so disqualified, and shall appoint another to fill the vacancy thus created, subject, however, to the action of the Senate when next in session. All vacancies on said board that may occur while the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty (30) days from the time the general assembly next convenes, and vacancies occurring during a session of the general assembly shall be filled as regular appointments are made and before the end of said session.

Sec. 2. Each member of the board shall take the oath and qualify as required by section one hundred seventy-nine (179) of the Code, and shall devote his whole time to the duties of his office. Before entering on the duties of his office, each member shall give an official bond in the sum of twenty-five thousand dollars ($25,000.00), conditioned as provided by law, signed by sureties to be approved by the governor, and when so approved, said bond shall be filed in the office of secretary of state.

No members of the board of agriculture shall be eligible to any other lucrative office in the state during his term of service or for one year thereafter. Said board of agriculture shall be subject to the examination of the joint committee on retrenchment and reform created by section one hundred eighty-one (181) of the Code. The claim that no testimony or evidence sought to be elicited or produced on such examination may tend to incriminate the person giving or producing it or expose him to public ignominy, shall not excuse him from testifying or producing evidence, documentary or otherwise, but no person shall be prosecuted or subjected to penalty or forfeiture for and on account of any matter or thing concerning which he may testify or produce such evidence, provided that he shall not be exempted from prosecution and punishment for perjury committed in so testifying.

Sec. 3. The board shall be provided by the proper authorities with suitable furnished offices at the seat of government and shall employ a competent secretary, who shall receive a salary not to exceed two thousand dollars ($2,000.00) per annum, and may also hire a stenographer and such other employes as may be necessary and may require bonds from such employes if deemed necessary; and in the absence or disability of the secretary, and the business of the board requires it, the board may appoint a member of said board as acting secretary during such absence or disability, who shall at such time have the powers of the secretary of the board. Said appointment shall be made of record in the proceedings of the board and no additional compensation shall be paid because of the services of such acting secretary. This board shall, by the proper authorities, be furnished with all necessary books, blanks, stationery, printing, postage stamps and such other office supplies as are furnished other state officers.

The board shall make a report to the governor and the legislature of its observations and conclusions respecting the various departments, subject to the control of or supervision of said board covering the biennial

period ending June 30th preceding each regular session of the general assembly. Said biennial report shall be made not later than November 15th in the year preceding the meeting of the general assembly, and shall contain in a general way an account of its expenditures to the end that the legislature may for the future fix the maximum amount thereof and such other matters as the board may deem necessary and proper. In said report the said board shall incorporate suggestions respecting legislation concerning the various departments supervised or controlled by said board, together with an outline of the plans of the board for the future and an estimate of the appropriation necessary and proper for the various purposes. The board and its secretary shall, on request, attend the meetings of the legislative committees to which such questions may be submitted for consideration and furnish such committees such information in regard to its doings as may be demanded.

Sec. 4. There is hereby appropriated from any funds in the state treasury not otherwise appropriated sufficient thereof to pay the salaries and expenditures hereby authorized.

Sec. 5. In addition to the salaries paid the members of the board and the secretary or other employes they shall be entitled to the necessary traveling expenses, by the nearest traveled and practical route, when on official business. No expenditure for traveling expenses to other states shall be made by the board or by any officer or agent thereof, or by and officer, employe or agent subject to this board unless the authority to make such trip is granted at a meeting of the board upon a written resolution adopted by the board which shall state the purpose of such trip and the reason the same is deemed necessary. Said resolution, if adopted, shall then be submitted to the governor for his written approval, and if he does not approve the same, such trip shall not be made at the expense of the state.

Sec. 6. Before any expenses of the members of the board, any officer or agent thereof, or before any expenses incurred by others under the direction of the board, or the expenses of any officer or employe of any department or other organization under the charge of the board, shall be paid, a minutely itemized statement of every item of expenditure shall be presented to the proper authority and approved by the executive council, duly verified, which verification shall aver that the expense bill is just, accurate and true and is claimed for cash expenditures or cash disbursements truly and actually made and paid to the parties named, as shown by said statement. Unless the statement is so verified and duly audited, payment thereof shall not be had. The salaries and such actual expenses of the board and of the secretary and other officers, and the salaries of employes, shall be paid monthly by the treasurer of state, upon the warrant of the auditor of state.

Sec. 7. Within ten (10) days after the appointment and qualification of the members of the board, it shall organize and assume the duties vested in said board, but shall not exercise all of the powers herein granted until the first day of June, 1913, after which time the board shall exercise all the powers herein provided.

Sec. 8. Where the word "agriculture" or the words "department of agriculture," or "state board of agriculture," or "board of directors of state agricultural society," or 'state society," or "state agricultural society" occur in the Code or acts supplementary thereto or amendatory thereof, they shall be held to refer to and mean the state board of agriculture herein provided for.

Sec. 9. Among the purposes, objects and duties of the state board of agriculture shall be: to have general supervision over the various departments as herein provided; to promote the interests of agriculture, of agricultural education and animal industries throughout the state; to investigate all subjects relating to the improvement of methods, appliances and machinery, and the diversification of crops and products; to promote the interest of and disseminate knowledge of agriculture, horticulture, forestry, animal industry and manufacture; to promote the general welfare by maintaining a weather and crop service; also to investigate reports of the prevalence of contagious diseases among domestic animals, or destructive insects and fungus diseases in grains, grasses and other plants, the adulteration of foods, seeds and other products.

For the purpose of carrying out the provisions of this act, it is hereby made the duty of the college of agriculture and mechanic arts, and all departments thereof, and the board of agriculture to co-operate in every way possible.

Sec. 10. It shall be the duty of the board of agriculture to co-operate with the state horticultural society, the state dairy association, the state beef cattle breeders' association and all other voluntary associations organized for the promotion of agriculture, stock raising, and other allied industries, for the purpose of carrying out the provisions of the law relating to such associations and accomplishing the object of their organization. Said board shall also co-operate with and encourage the organization, continuation and improvement of farmers' institutes and county and district fairs. All appropriations now or hereafter made for the benefit of any voluntary association or organization shall be expended under the direction of the board of agriculture and for such purpose connected with such association or organization as said board shall by resolution direct.

Sec. 11. From and after June 1, 1913, the state geologist, whose business office is hereby removed from the state capitol at Des Moines, Iowa, and combined with the geological department of the state university at Iowa City, Iowa, where all duties pertaining to the geological survey will hereafter be transacted, the state geological board, the state entomologist, the state bee inspector and the state weather and crop services as now provided shall cease to exist and all power now vested in or duties imposed upon such officers, boards or departments, shall vest in and be incumbent upon the board of agriculture as herein provided and said board shall have authority to appoint such heads of departments and assistants as shall be deemed necessary to carry out such duties as are now or hereafter may be provided by law for said officers and departments. Such

employes and assistants shall receive as compensation for such services not to exceed the sum of five dollars ($5.00) per day for time actually employed, and necessary traveling expenses. In case it would appear to said board that the continuous services of such heads of departments or assistants shall be necessary, said board may employ said employes or assistants on a monthly or yearly basis, in which case the compensation shall not exceed the rate of fifteen hundred dollars ($1,500.00) per annum.

Sec. 12. It shall be the duty of the state board of agriculture to promote a weather and crop service, to carry on the work now done by that department as provided by law and to collect weather and crop statistics and meteorological data, and to disseminate the weather forecasts and storm and frost warnings among the people, together with such other information and data as it may deem important. The board shall establish such stations as it may deem necessary and shall co-operate with the national weather bureau for the promotion of the service. Said board shall have full power and authority to make all needful rules and regulations to carry out the purposes and objects of all department under the control of said board.

Sec. 13. The commission known as the commission of animal health is hereby abolished and all the powers and duties thereof are transferred to and enjoined upon the state board of agriculture, except such duties as devolve upon the veterinarians upon said commission as an examining board. The examining board shall consist of the state veterinarian and two veterinarians who shall examine all applicants to practice veterinary medicine, surgery or dentistry in this state. The veterinarians on said board, other than the state veterinarian, shall be appointed by the board of agriculture and the state veterinarian. The veterinarians on said examining board, other than the state veterinarian, shall receive as compensation ten dollars ($10.00) per day for each day actually employed, together with all necessary and actual expenses incurred by reason of such employment. It is hereby made the duty of the state veterinarian to co-operate with the said board, and the board may employ assistants at a salary not to exceed five dollars ($5.00) per day and necessary expenses to assist the state veterinarian in carrying out the provisions of this act. The board shall have power to make all necessary rules and regulations for carrying into effect the powers herein conferred.

Sec. 14. From and after June 1, 1913, the department of agriculture as now provided by law, together with the state board of agriculture as now organized, shall cease to exist and all powers vested in and duties imposed upon the said department of agriculture and the said state board of agriculture shall at said time vest in the state board of agriculure provided in this act, and the state board of agriculture as herein provided is hereby charged with all the duties incumbent upon the said department of agriculture and the state agricultural board as now existing, and it shall be the duty of the present state board of agriculture on or before June 1, 1913, to transfer and deliver to the state board of agriculture herein provided all records, books and proceedings of their office and

a full statement of all matters pertaining to said department, and to transfer all property and rights of whatever nature to the board herein provided for, and it is hereby made the duty of the treasurer of said agricultural society to make a full and complete accounting to the state treasurer of all moneys in his hands on or before the first day of June, 1913, and pay the same to the state treasurer and accept the receipt of said state treasurer therefor.

Sec. 15. From and after June 1, 1913, all power now vested in, or duties imposed upon the state dairy and food commissioner shall be exercised and performed under direction of and subject to the approval of the board of agriculture as herein provided. The power of appointment and removal of the state dairy and food commissioner now vested in the governor shall be transferred to and vested in the board of agriculture. Said board shall appoint a dairy and food commissioner, who shall be the head of such department and who shall do and perform all acts incumbent upon the present commissioner, and said board shall appoint such inspectors and assistants as it may deem necessary. Provided, however, that the present dairy and food commissioner shall be the head of such department under the direction of the board of agriculture until the expiration of the term for which he had been appointed. The expenditure of all funds appropriated for the use and benefit of the state dairy and food commission shall be expended by and subject to the approval of the board of agriculture.

Sec. 16. From and after June 1, 1913, all power now vested in and duties imposed upon the state fish and game warden shall be exercised subject to the approval of and under the supervision of the board of agriculture as herein provided. The power of appointing and removing the fish and game warden now vested in the governor shall be transferred to and vested in the board of agriculture from and after April 1, 1916. The right of supervision herein granted to said board of agriculture shall extend to the appointment of deputy fish and game wardens and in the expenditure of funds belonging to said department, vesting in said board of agriculture all of the authority now exercised by the governor and executive council with reference to the appointment of said warden and supervision over his expenditures and the exercise of the duties of his office.

Sec. 17. The state board of agriculture shall have power and is hereby authorized to take and hold property, real and personal, in the name of the state of Iowa, derived by gifts and bequests, and in case such gift or bequest requires the giving of a bond, the members of said board may give such bond, the expense of which may be audited and paid as expense of said department. Any property now held in trust by the present department of agriculture or the state board of agriculture or the members thereof for the benefit of said department, shall inure to and be held by the board herein provided for and full accounting for and transfer of all such property shall be made on or before June 1, 1913.

Sec. 18. The board shall have full control of the state fair grounds and improvements thereon belonging to the state, with the requisite powers to hold annual fairs and exhibits. They may prescribe all necessary rules and regulations thereon and therefor and shall have power to employ extra help and clerical assistants for the management of said fair and exhibits as may be deemed necessary. All receipts and expenditures connected with the fair shall be recorded separately. The right to construct street railways within said fair grounds and to operate same is granted expressly subject to the right of revocation by the legislature of the state of Iowa and to the right of revocation thereof by the said state board of agriculture, and no vested right is granted hereby. Said street railway shall be constructed subject to such rules and regulations as to construction and operation thereof as may be at any time adopted by said state board of agriculture. If said state board of agriculture elects so to do, they may order the removal of said street railway at any time upon thirty (30) days' notice to the company operating the same and shall have full right of enforcing, and said company in constructing said street railway shall be conclusively presumed to have accepted the provisions hereof and to have expressly consented to removal of its said railway upon said notice.

Sec. 19. An advisory board, to be styled the state agricultural advisory board, is hereby established, the purpose of which is to advise with and assist the state board of agriculture in promoting the objects for which it is established and to assist the said board in carrying out the purpose of this act. The said advisory board shall be composed of the following: the governor of the state, the president of the state college of agriculture and mechanic arts, or the head of one of the departments in said institution to be designated by the president; the state entomologist; the state geologist; the secretary of the horticulture society; the state dairy commissioner; the state veterinarian; the state fish and game warden; the president of the Iowa dairy association; the president of the Iowa implement dealers' association, and one member from each congressional district in the state to be elected as hereinafter provided.

The members of the said advisory board shall serve without compensation except that each member shall be allowed his actual and necessary traveling expenses, to be audited and allowed by the state board of agriculture. The said advisory board shall meet annually at the capitol on such dates as it may determine and shall take such action and present or recommend in writing such matters to the state board of agriculture as they may deem necessary and pertinent. At all meetings of said advisory board the members of the state board of agriculture shall be entitled to the floor and to a voice in the proceedings of said board, but shall have no vote.

The governor is authorized to call a meeting of said advisory board at any time, and said state board of agriculture may call not to exceed three meetings thereof annually.

Sec. 20. On the second Wednesday of December, 1913, and annually thereafter a state agricultural convention shall be held composed of the president or secretary of each county or district society entitled to receive aid from the state, or a regularly elected delegate therefrom, accredited in writing, who shall be a resident of the county, and in the counties where there are no agricultural societies, the board of supervisors may appoint a delegate who shall be a resident of the county. The president or accredited representative of the following named associations shall be entitled to membership in the said convention, to-wit: state horticultural society, state dairy association, Iowa beef cattle breeders' association, Iowa swine breeders' association, Iowa horse breeders' association, Iowa corn growers' association, Iowa manufacturers' association, Iowa implement dealers' association, and each farmers' institute organized under the provisions of section sixteen hundred seventy-five (1675) of the Code, provided such farmers' institute has been organized at least one year and has reported to the state board of agriculture not later than November 1st through its president and secretary or executive committee that an institute was held according to law, the date thereof, and the names and postoffice addresses of its officers. On all questions arising for determination by the convention, each member present shall be entitled to one vote and no proxy shall be recognized by the convention.

Sec. 21. At the convention held on the second Wednesday in December, 1913, there shall be elected a president, vice-president and secretary for the term of one year, who shall serve without compensation; also one director of the state agricultural advisory board from each congressional district, those from even numbered districts to serve two years and those from odd numbered districts to serve one year. At subsequent annual conventions vacancies in the list of district directors occurring by expiration of term of office shall be filled for two years, but vacancies occuring from death or other courses shall be filled for the unexpired term.

The purpose of such convention shall be to promote the general interest of agriculture throughout the state and to assist the state board of agriculture in carrying out the purposes for which it is established. At the meeting of the convention in 1913, the program and arrangement made for the convention provided in section sixteen hundred fifty-seven-d (1657-d) of the Supplement to the Code, 1907, shall be carried out.

Sec. 22. The department of agriculture shall compile and publish "The Iowa Year Book of Agriculture" as provided by law and such bulletins and circulars of an educational nature as the board may direct.

Sec. 23. The said department of agriculture shall keep at its office a proper and complete system of books and accounts which shall show every expenditure authorized and made, and said books shall exhibit an account of each appropriation made by the legislature with every item of expenditure thereof.

Sec. 24. All money received by the board of agriculture shall be deposited forthwith with the treasurer of state except as hereinafter provided and he shall place the same to the credit of the proper funds. All proceeds derived from the state fair shall be deposited in a separate fund to be known as the "State Fair Receipts." Except as herein otherwise provided all moneys in the state treasury in the "State Fair Receipts" fund or any other fund to be used by this department or any appropriation made for the benefit of this department or any part thereof, shall be paid by the treasurer upon the order of the board in the manner hereinafter provided. The board shall not use the state fair receipts for any other purpose than the promotion, upbuilding and improvement of the state fair and the property used therefor.

Sec. 25. The treasurer of the state upon order of the board shall annually deposit the sum of five hundred dollars ($500.00) in some depository designated by the executive council as a contingent fund for emergency use. The treasurer shall keep an account of this fund and all disbursements therefrom and shall cause any balance to be returned at the end of the year. Said fund may be drawn upon order of the board or any member thereof. Expenditures from said fund shall be made only in case of actual emergency requiring immediate action to prevent loss or damage to the property subject to the control of the board. A full, minute, itemized, sworn statement of every expediture made during the month from such fund and the person making the same shall be submitted to the executive council and shall be subject to the approval of said council.

Sec. 26. Not more than ten (10) days prior to the opening of the state fair the executive council shall annually certify to the treasurer of state one or more depositories in which the treasurer of state shall deposit of the moneys in his hands at the disposal of the agricultural board a sum not to exceed ten thousand dollars ($10,000.00), to be used in defraying the preparatory and other expenses of the state fair which are necessary to be paid immediately and can not be paid through the regular channels. To this fund in the said depositories shall be added by the board the daily receipts of the state fair. The board may prescribe the manner of voucher upon which the money from said fund may be drawn and the method of making such expenditures.

Within ten (10) days from the close of such state fair, the board shall file with the executive council a sworn statement showing the amount of expenditures made from said fund while so deposited and the amount of additional deposits made from fair receipts as herein provided. After the filing of said statement no further expenditure shall be made therefrom, except as provided in section twenty-eight (28) of this act. Upon request of the treasurer of state after the filing of said statement by the board, the depositories holding said funds shall forward to the treasurer of state a sworn statement showing the amount of the deposit made by the treasurer, the additional deposits made by the board, the amount of disbursements and the balance remaining on hand. All funds in the

hands of such depositories shall be immediately transferred to the treasury and credited to the proper funds. The treasurer shall forthwith on the receipt of such statements of the depositories certify such showing to the executive council, which shall check the same and if incorrect, may cause the same to be investigated and corrected. As soon after the holding of the state fairs as all matters connected therewith have been settled and in any event, within sixty (60) days thereafter, the board shall submit to the executive council a full report of receipts and expenditures connected with the holding of said fair and the executive council may cause said reports to be printed and distributed as it may determine.

Sec. 27. The board shall cause to be prepared plans for all betterments, improvements or buildings necessary to be constructed unon the state fair grounds, to be accompanied by a detailed statement of the amount, quality and description of all material and labor required for the completion of such building or other improvement, and no plan shall be adopted that contemplates the expenditure of more money for the completion thereof than the amount appropriated theerfor, or than is available after making due provision for necessary expenses from the funds on hand from state fair receipts.

It is hereby made the duty of the state architect to prepare such plans as the board may request and said board may secure the services of a consulting architect or other engineer in case such services should be deemed necessary. In no event shall the board direct or permit an expenditure for any purpose in excess of the amount appropriated by law or in excess of the amount on hand from fair receipts after making allowance for necessary expenses.

Sec. 28. The board shall prepare a monthly payroll, which shall show the name of each officer and employe, when first employed, the monthly pay, time paid for, the amount of pay, and any deductions for the careless loss or destruction of property. This requirement shall be observed in all cases and in no event shall a substitute be permitted to receive compensation in the name of the employe for whom he is acting.

All expenditures of the said board not hereinbefore specifically provided for shall be made upon properly verified statements of account in such form as the board may prescribe. When the said accounts are audited, the secretary of the board of agriculture shall under the seal of the board prepare in triplicate an abstract showing the name, residence and amount due each claimant and the fund thereof on account of which payment is made, which abstract shall also be certified by at least one member of the board who shall be so authorized by the board, and the proceedings granting such authority shall be prescribed in the records of the board. He shall deliver one copy thereof to the auditor of state, another to the treasurer of state, and a third shall be retained in the office of the board. Upon such certificate, the auditor of state shall, if there is sufficient money in said fund upon which said amounts are drawn to pay the same, issue warrant upon the treasurer of state for the gross amount as shown by

such certified abstract. Said last named officer, upon being furnished by the board with a certified copy of such abstract as herein provided, shall send checks to the treasurer of state to the several persons for the amounts of their respective claims as certified by the board. The treasurer of state shall preserve in his books a record of each check and remittance in the proper manner, showing the date of the issuance of each check, the name of the person to whom it was made payable and such other data as may be evidence for the state showing the payment of such indebtedness.

Sec. 29. When the funds at the disposal of the board permit, the board may enter into contracts for the construction and repair of buildings upon the state fair grounds, and whenever the cost of such construction or repair work to be done at any one time shall exceed the sum of one thousand dollars ($1000.00), the same shall be let by contract as hereinafter provided.

Before any such contract is let, detailed plans and specifications shall be prepared by the state architect under the board's direction, and when thus prepared, the board shall prescribe what notice shall be given for the receiving of bids for the construction of said improvement or the making of such repairs, and all contracts shall be awarded by said board to the lowest responsible bidder, and the board shall have the right to reject any and all bids and to re-advertise for new bids, and shall have power to require the deposit of money or certified check upon a solvent bank in such amount as it may prescribe as an evidence of good faith upon all proposals for the construction of said buildings or other improvements or for the making of such repairs. Upon the acceptance of any bid as herein provided, the board shall enter into a written contract for the construction of said improvement, but no such improvement shall be finally accepted nor settlement made therefor with the contractor until the certificate of the architect or other supervising engineer shall have been filed with the board, showing said construction or repair work to have been completed in accordance with the contract plans and specifications.

Sec. 30. Any member, employe or officer of the board of agriculture, who, by solicitation or otherwise, exerts his influence, directly or indirectly, to induce other officers or employes of the state to adopt his political views, or to favor any particular person or candidate for office, or who shall in any manner contribute money or other thing of value to any person for election purposes, shall be removed from his office or position by the proper authorities.

Sec. 31. Section sixteen hundred seventy-one (1671) of the Code, sections twenty-four hundred ninety-seven (2497) and tyentyfour hundred ninety-eight (2498) of the Code, section twenty-five hundred two (2502) of the Supplement to the Code, 1907, sections twenty-five hundred seventy-five-a-fifty-one (2575-a-51) and twenty-five hundred seventy-five-a-fifty-two (2575-a-52) of the Supplement to the Code, 1907, section sixteen hundred

seventy-seven (1677) and sixteen hundred seventy-eight (1678) of the Code, sections eight (8), nine (9) and ten (10) of chapter two hundred three (203) of the acts of the Thirty-fourth General Assembly, sections sixteen hundred fifty-seven-b (1657-b), sixteen hundred fifty-seven-c (1657-c), sixteen hundred fifty-seven-d (1657-d), sixteen hundred fifty-seven-e (1657-e), sixteen hundred fifty-seven-g (1657-g), sixteen hundred fifty-seven-h (1657-h), sixteen hundred fifty-seven-i (1657-i), sixteen hundred fifty-seven-j (1657-j), sixteen hundred fifty-seven-k (1657-k), sixteen hundred fifty-seven-m (1657-m), sixteen hundred fifty-seven-n (1657-n), sixteen hundred fifty-seven-o (1657-o), sixteen hundred fifty-seven-p (1657-p), sixteen hundred fifty-seven-q (1657-q), sixteen hundred fifty-seven-s (1657-s), sixteen hundred fifty-seven-t (1657-t), sixteen hundred seventy-two (1672), sixteen hundred seventy-three (1673, and sixteen hundred eighty-one (1681) of the Supplement to the Code, 1907, section five (5) of chapter one hundred seventy-four (174) of the acts of the Thirty-fourth General Assembly, and all other acts and parts of acts so far as they are in conifict herewith, are hereby repealed.

Sec. 32. This act, being deemed of immediate importance, shall take effect and be in force from and after its passage and publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate File No. 300, a bill for an act to legalize releases and discharges of judgments, mortgages and deeds of trust made by administrators, executors or guardians appointed in other states or countries where the provisions of section 3308 of the Code were not observed or complied with.

Also:

Senate File No. 240, a bill for an act to legalize deeds and instruments of conveyance, tax deeds, sheriff's deeds, deeds of administrators, executors, and guardians, and all other conveyances made and recorded prior to the first day of January, A. D., 1890, additional to chapter 6, title 14 of the Code, relating to the conveyance of real estate.

Also:

Senate File No. 388, a bill for an act to legalize certain decrees of courts entered in actions to annul marriages, in which service of the original notice was made by publication.

Also:

Senate File No. 328, a bill for an act to confirm the title of Anna L. Edgar to the west one-half (W.½) of the southwest quarter (S.W.¼) of section two (2) township eighty-nine (89), north, range thirty-four (34) west 5th P. M. Iowa, and authorize the issuance of a patent therefor.

Also:

Senate File No. 260, a bill for an act to amend section two thousand and eighty-five (2085) of the Supplement to the Code, 1907, relating to taxes in aid of railroads and in relation to the number of signatures of resident freeholders to petitions therefor in cities acting under special charter, and cities having a population of twenty-five thousand (25,000) or over.

Also:

Substitute for Senate File No. 315, a bill for an act providing for the securing of claims of sub-contractors who furnish labor or material for construction of drainage ditches, in addition to chapter two-a (2-a) title ten (10) Supplement to the Code, 1907.

Also:

Senate File No. 291. a bill for an act to legalize conveyances of real property by foreign executors or trustees under foreign wills where the provisions of section 3295 of the Code were not observed or complied with.

Also:

Senate File No. 363, a bill for an act for the purpose of having a patent issued in the name of T. F. McCaffery for a certain tract of land.

Also:

Senate Joint Resolution No. 10, a bill for an act referring house joint resolution number six (6) relating to the amendment proposed to section one (1) of article two (2) of the constitution of the state of Iowa, to the Thirty-sixth General Assembly.

JOHN H. TAYLOR,
Chairman.

Adopted.

Senator Farr from joint committee on Improvements and Repairs to state capitol building submitted the following report:

We the joint committee on Improvements and Repairs beg leave to report that we have had the matter under consideration and make the following recommendations:

We recommend necessary repairs and painting as suggested by the custodian for the law library, said repairs being the removal of the broken and cracked scagliola and brackets, replacement of the same with new, necessary painting and cleaning.

New air compresser installed in the engine room.

Vacuum cleaner to be used in the historical and capitol buildings.

Removal of steam mains in the power house from the sub-basement and placing overhead in the boiler room and that they be run direct through the wall to the engine; also that high pressure main to the state house be re-run.

All toilet rooms equipped with flush valves such as are in the House and Senate toilets.

Boilers in the engine room equipped with soot blowers.

Certain necessary repairs to the boiler house, historical and capitol buildings, pointed out by the engineer to this committee as being necessary for the proper preservation of the building and equipment but too numerous to set out fully in this report, at an estimated cost of fifteen hundred dollars ($1500.00).

A change in the electric light wiring in the sub-basement so that it may be cut off and turned on as needed; as it now is the entire sub-basement lights burn continually; also that the sub-basement of the historical building be wired in like manner.

Repairing and cleaning of the curtains in the Senate and House chambers.

Repairing of broken places in the sky lights about the capitol.

Repairing of the basement floor in the capitol so that the marble be placed in the three wings and main hall, and the placing of a new floor of cement in the west wing in which the heavy trucking and moving is usually done.

Sewer connections on the first, second and basement floors so that the water for cleaning used by the janitors may be emptied without being carried to the basement.

Repairing of furnaces in the food and dairy building.

Sprinkling system installed over the Senate chamber.

Painting, cleaning and decorating inside the dome of the historical building and the cleaning, painting and redecorating of the walls in several of the rooms.

Cleaning and repairing of the House chamber and committee rooms.

Necessary repairs to the water tables, area ways and roof of the historical building, the pedestals at the entrance of the building, stone seats and walks on the capitol grounds, and balustrades on the roof of the capitol.

New carpets to replace those that are old and worn out, repairing, relaying and rearranging of other carpet.

Repairing of numerous chairs used in both the Senate and House chambers and other parts of the building, and also in the historical building.

We recommend that for the purpose of making the above mentioned repairs there be added to the usual biennial appropriation of $20,00, the sum of five thousand dollars ($5000.00), which sum, together with the amount remaining from the appropriation made under sub-section 23 of section 3, chapter 192, acts of the Thirty-fourth General Assembly, be placed in the hands of the enecutive council.

We further recommend the employment of three young and active men who shall be competent to perform any of the ordinary work or duties that may be required of them in the cleaning, care and custody and repairing of the building and grounds, and that at least one of them have some general knowledge and skill as a practical mechanic which will enable him to supervise the construction of sidewalks and look after the upkeep of the building; provided however he shall not be considered as an overseer but as a workman and shall be actively engaged in the performance of work. All men to be under the control of the custodian.

We recommend that a lady be employed to act as clerk and assistant to the custodian and that she shall assist in the supervision of such repairs, cleaning and sanitation as can best be done under a woman's direction. The four employees mentioned to be placed upon the custodian's payroll.

All work to be done under the general supervision and direction of the executive council.

H. W. SPAULDING,
E. P. FARR,
O. H. JACOBSON,
W. H. WEBB,
S. H. BAUMAN,
Joint Committee on Improvements and Repairs.

Ordered passed on file.

Senator McColl moved that the Senate do now adjourn until 9:30 o'clock A. M. Monday.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 7, 1913.

Senate met in regular session at 9:30 o'clock a. m., President Harding presiding.

Prayer was offered by Rev. Dwight Witherspoon Wylie, Iowa City, Iowa.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Substitute for Senate File No. 57, a bill for an act to authorize the location, use and construction of lines, and transmission of electric current or energy, and the erection of the poles, wires and other necessary construction therefor.

A. C. GUSTAFSON,
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. 295, a bill for an act to amend the law as it appears in section 9, chapter 153, acts of the Thirty-third General Assembly, relating to protection of fish and game and to amend the law as it appears in chapter 116 of the acts of the Thirty-fourth General Assembly, relating to compensation of fish and game warden.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 661, a bill for an act to provide for the establishment of a teachers' employment bureau in the department of public instruction.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 657, a bill for an act to legalize decrees obtained prior to January 1st, 1911, where the proof of the publication of an orginal notice was made by the editor of the newspaper in which the original notice was published.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 266, a bill for an act to amend sections 26 and 43 chapter 131 of the acts of the Thirty-third General Assembly known as the Military Code of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 288, a bill for an act to make appropriation for the payment of the expenses of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance at the final hearing in the case before the interstate commerce commission involving general advancement in rates.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 349, a bill for an act to amend the law as it appears in section 7 of chapter 169 of the acts of the Thirty-third General Assembly relating to the compensation of the state bee inspector and to make an appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 549, a bill for an act appropriating a certain sum of money to A. S. Perryman, the said amount being the unearned license fee paid by said A. S. Perryman.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 529, a bill for an act to amend section 4606 of the Supplement to the Code, 1907, relative to husband and wife as witnesses.

A. C. GUSTAFSON,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Wilson of Appanoose presented a remonstrance of citizens of Appanoose county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Jewell presented a remonstrance of citizens of Winneshiek county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator McColl presented a remonstrance of citizens of Dallas county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Larrabee presented a remonstrance of citizens of Fonda protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Clinton presented a remonstrance of citizens of Lyons, protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Taylor presented a remonstrance of citizens of Van Buren county, protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Boe presented a remonstrance of citizens of Winnebago county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Boe presented a remonstrance of citizens of Winnebago county, opposing passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Nye presented a remonstrance of citizens of Taylor county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balkema presented a remonstrance of citizens of Sioux county, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Balkema presented a remonstrance of citizens of Rock Rapids, protesting against any change in the railroad commission.

Referred to committee on Railroads.

Senator Balkema presented a remonstrance of citizens of Rock Rapids and Ellsworth, protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Heald offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Be it Resolved by the Senate, the House concurring:

That whereas, Daniel L. Castle, one of the door keepers of the Senate, has been suddenly summoned from our midst by death, and

Whereas, the deceased was an honored member of the Grand Army of the Republic and a valiant soldier of the Union,

Be it hereby resolved, as a mark of respect to the deceased and his family, that the President of the Senate is authorized to appoint three persons from among the door keepers of the Senate, and the Speaker of the House three pesons fom among the door keepers of the House, who shall accompany the remains to their resting place.

Be it further resolved, that the sergeants-at-arms of the Senate and House be authorized and directed to take such steps as may be necessary for carrying out the provisions of this resolution, and that the necessary expense in connection therewith be paid out of the contingent fund of the state.

Be it further resolved, that the secretary of the Senate and the chief clerk of the House transmit a copy of this resolution to the family of the deceased.

Senator Heald moved the adoption of the resolution.

Adopted.

President appointed as such committee on the part of the Senate: J. H. Doty of Clay county, E. L. Stilson of Hancock county and G. A. Heisler of Pottawattamie county.

INTRODUCTION OF BILLS.

By committee on Apporpriations, Senate File No. 543.

A BILL for an Act Providing for Appropriations to Cover the Salaries and Expenses of the Officers and Employes of the Various Departments Under the Control and Management of the State Board of Agriculture as Authorized and Established by the Thirty-fifth General Assembly.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. Appropriation—For the purpose of carrying out the provisions of law regulating voluntary associations under the control of the state board of agriculture, except the state horticultural society, there is hereby appropriated, out of any funds in the state treasury not otherwise appropriated, the sum of fifteen thousand dollars ($15,000.00) or so much thereof as may be necessary to pay the salaries and expenses of the "Beef Cattle Breeders Association", the "Iowa State Dairy Association" and all other "voluntary associations" organized in this state, and which are recognized by the state board of agriculture.

Sec. 2. For the period ending June 30, 1915, there is hereby appropriated out of any funds in the state treasury not otherwise appropriated, or so much thereof as may be necessary to be expended under the direction of the state board of agriculture, the following amounts:

For the department of entomology the sum of $4,000.00.

For the geological survey the sum of $8,000.00 annually.

For the weather and crop service the sum of $2,700.00 annually.

For the horticultural society the sum of $4,000.00 annually.

For the state food and dairy department the sum of $21,000.00 annually.

For insurance and improvement of buildings on state fair grounds, the sum of $1,000.00 annually.

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, ordered printed in the Journal and bill placed on the Calendar.

Senator Boe asked that unanimous consent be given for the consideration of the resolution introduced by him relative to an agricultural commission.

Consent granted.

Senator Boe moved that the vote by which the resolution was adopted be reconsidered.

Carried.

Senator Boe offered the following resolution as a substitute for the original resolution:

SUBSTITUTE CONCURRENT RESOLUTION.

Whereas, the natural fertility of the soil of the state of Iowa is equal to, if it does not excel that of any other state or nation in the world, and

Whereas, it is well known that in some of the foriegn countries, notably Germany, Holland, Denmark, Norway, Sweden, France and England, by the teaching of practical and scientific agriculture the soil has been made to produce a much greater yield per acre than that of our own state, and

Whereas, great advancement has been made in these countries in the public schools, and in all questions relating to agriculture, including the relation of landlord and tenant, the developing of dairying and allied industries, and the preparation of the boy and girl for life upon the farm, now, therefore,

Be it resolved by the Senate, the House concurring, that the governor be and he is hereby directed to appoint a commission composed of not more than three citizens of the state of Iowa to make special investigation in the countries named, or in any other countries, of all subjects relating to agriculture, stock raising, dairying, soil conditions, the relation of landlord and tenant, and any and all other questions incident to country life, and make a report thereof to the governor of this state on or before the convening of the Thirty-sixth General Assembly, such commission to act without expense to the state, and

Be it further resolved that the executive council of the state of Iowa be and it is hereby authorized and directed to cause to be printed at the expense of the state not to exceed ten thousand (10,000) copies of said report for free distribution.

Senator Boe moved that the substitute for the original resolution be adopted.

Adopted.

The resolution as substituted was adopted.

HOUSE MESSAGES CONSIDERED.

Senate File No. 295, a bill for an act to amend the law as it appears in section nine (9), chapter one hundred fifty-three (153), acts of the Thirty-third General Assembly, relating to the protection of fish and game, and to amend the law as it appears in chap-

ter one hundred sixteen (116) of the acts of the Thirty-fourth General Assembly, relating to the compensation of the fish and game warden.

House amendment:

Amend by striking the word "said" from line 4 of section 2 and inserting the word and figure "one (1)" immediately following the word "section" in same line. Also strike out "twenty-four hundred dollars (2400.00)" in last line of section 2 and insert in lieu thereof "eighteen hundred dollars ($1800.00)."

Passed on file.

House File No. 661, a bill for an act to provide for the establishment of a teachers' employment bureau in the department of public instruction.

Read first and second time and referred to committee on Schools.

House File No. 657, a bill for an act to legalize decrees obtained prior to January 1, 1911, where the proof of the publication of an original notice was made by the editor of the newspaper in which the original notice was published.

Read first and second time and referred to committee on Judiciary.

House File No. 266, a bill for an act to amend sections twenty-six (26) and forty-three (43) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly, relating to armory rent and making an appropriation therefor.

Read first and second time and referred to committee on Appropriations.

House File No. 288, a bill for an act to make an appropriation for the payment of the expenses of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance at the final hearing in the case before the interstate commerce commission, involving general advancement in rates.

Read first and second time and referred to committee on Appropriations.

House File No. 349, a bill for an act to amend the law as it appears in section seven (7) of chapter one hundred sixty-nine (169) of the acts of the Thirty-third (33d) General Assembly relating to the compensation of state bee inspector, and to make an appropriation therefor.

Read first and second time and referred to committee on Appropriations.

House File No. 549, a bill for an act appropriating a certain sum of money to A. S. Perryman, the said amount being the unearned license fee paid by said A. S. Perryman.

Read first and second time and referred to committee on Appropriations.

House File No. 529, a bill for an act to amend section four thousand six hundred six (4606) of the supplement to the code, 1907, relative to husband and wife as witnesses.

Read first and second time and referred to committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Jewell, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate File No. 406, a bill for an act to repeal section three thousand one hundred thirty-eight of the Supplement to the Code, 1907, and chapter one hundred ninety-five (195) of the laws of the Thirty-third General Assembly, and to enact as a substitute therefor the following relating to the care of property belonging to guests of hotels and inns and liability for the loss thereof and to lien of hotel and innkeepers thereon, and for providing a method for enforcing such liens, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend section 4 by inserting after the word "by" in the fourth line of the printed bill and before the word "the" the words, "or caused by the negligence of"; and when so amended the bill do pass.

P. M. JEWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate File No. 407, a bill for an act to repeal chapter one hundred sixty-eight (168) of the acts of the Thirty-third General Assembly, and to enact in lieu thereof the following relating to hotels, public lodging houses, and restaurants; defining the same and prescribing rules for their operation and maintenance, so as to insure the safety and health of employes and patrons of same, providing for inspection thereof, establishing a hotel commission and providing for a hotel commissioner, and for the licensing of hotel and restaurant keepers, and fixing penalties for violation of such rules and regulations, 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 substituting for sections three, four, five, six, seven, eight, nine and ten the following:

Sec. 3. Only such hotels as defined in section 2 of this act shall have the right to use the word "hotel" as a part of the name of their business; and the use of the word "hotel" in connection with the name of a business other than that defined in section 2 of this act shall be a violation of this act and subject the user thereof to its penalties.

Sec. 4. There is hereby created a hotel commission of the state of Iowa, for which the usual facilities for transacting its business shall be furnished, the same as for other similar departments of the state government.

Sec. 5. The civil engineer of the state board of health shall by virtue of his office be hotel commissioner. Such hotel commissioner shall receive, in addition to the compensation now received as a member of the state board of health, a salary of fifteen hundred dollars ($1,500.00) per annum, and necessary expenses, out of the fund derived from the licensing of hotels. Such hotel commissioner shall, with the approval of a majority of the members of the state executive council, appoint, and at his pleasure remove, one or more deputies, who shall under his direction assist in the duties imposed by this act. Such deputies shall give bond to the state in the penal sum of two thousand dollars ($2,000.00) conditioned as that of the hotel commissioner, to be approved by and filed with the secretary of state. Each deputy hotel commissioner shall receive such compensation as the executive council of the state of Iowa shall specify, the same not to exceed fifteen hundred dollars ($1,500.00) per annum and necessary expenses incurred while actually engaged in his work as deputy hotel commissioner. All bills for compensation and necessary expenses shall be itemized and verified, and warrants drawn on the hotel commission fund therefor in the same manner as for the other expenses of the members of the state board of health.

Sec. 6. It shall be the duty of the hotel commissioner and his deputies to see that all of the provisions of this act are enforced, and for such purposes said hotel commissioner and deputies shall personally inspect, each year, every hotel in the state coming within the provisions of this act. If upon inspection of any hotel it shall be found that this law has been fully complied with, he shall issue a certificate to that effect to the person operating the same, and such certificate shall be kept in plain view in some conspicuous place in said hotel. Said hotel commissioner or deputy is hereby empowered and authorized to enter any hotel at all reasonable hours to make such inspection, and it is hereby made the duty of every person in the management or control of such hotel to afford free access to every part of the hotel and render all aid and assistance necessary to enable the hotel commissioner or his deputy to make a full, thorough and complete examination thereof on or before December thirty-first (31st) of each year.

Sec. 7. All persons engaged in the business of operating a hotel as defined in this act shall on or before January 1, 1914, and each year thereafter, secure and pay for a license therefor as follows: Hotels in which over twenty sleeping rooms are used for the accommodation of guests, five dollars ($5.00) per year; hotels with less than twenty rooms, three dollars per year. Such license to be issued by the hotel commissioner upon receipt of the license herein provided and certificate signed by the applicant stating that he has complied and will comply with the provisions of this act. No hotel shall be maintained and conducted in this state after the first day of January, 1914, without a license therefor.

Sec. 8. The hotel commissioner or deputy shall make a full and complete report to the state board of health of every hotel inspection, as to its sanitary condition, the number and condition of its fire escapes, number of stories high, number of sleeping rooms, name of proprietor, and such other information as the state board of health shall determine will be for the betterment of the public health. He shall on the first day of each month make and file with the state treasurer an itemized statement of all license fees collected, and pay into the state treasury all fees collected for licenses issued during the preceding month, which fees the state treasurer shall keep in a fund to be known as "the hotel commission fund," to be used for the purposes of the hotel commission only.

Sec. 9. Any hotel commissioner or deputy who shall knowingly certify falsely regarding any hotel inspected by him, or in regard to fees collected or expenses paid, or shall issue a certificate to any person owning, managing or operating a hotel, when such person has not complied with the provisions of this act, shall be guilty of a misdemeanor, and on conviction of the same, shall be punished by a fine not to exceed five hundred dollars ($500.00), or imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment.

Sec. 10. It shall be the duty of the hotel commissioner, upon ascertaining by inspection or otherwise that any hotel is being carried on contrary to any of the provisions of this act, to notify the manager, pro-

prietor, or owner, in writing, in what respect it fails to comply with the law, and to require such person within reasonable time, to be fixed by the hotel commissioner, to do or cause to be done the things necessary to comply with the law.

Amend section 11 by striking from said section the word "or" at the end of the first line of said section and the word "restaurant."

(b) Amend section 12 by striking from said section the words "or restaurant" in the last line.

(c) Also amend the title by removing the comma after the word "hotel" in the third line of the title and inserting the word "and" and striking from said title the words "and restaurants"; in the third and fourth lines of the title; and the words "and restaurant" in the eighth line of the title of said bill; and when so amended we recommend that the bill do pass.

P. M. JEWELL,
Chairman.

Ordered passed on file.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 523, a bill for an act to increase the salary of the chief executive officer of the institution for feeble-minded children at Glenwood, Iowa, amendatory of the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the Supplement to the Code, beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House File No. 517, a bill for an act to authorize the governor to direct the attorney general to appear in certain cases, for and on behalf of the counties, cities, towns and other municipalities and officers and contractors thereof, and to employ additional legal assistance in such cases and providing for payment thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House File No. 259, a bill for an act creating the office of state examiners for counties, fixing their compensation, duties, terms of office and method of appointment, providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, reports and audits for counties, and providing for violations of this act, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Strike out of the second page of section one (1) in line seven (7) the words and figures, "$20,000.00 annually" and insert in lieu thereof the words and figures "five thousand dollars ($5,000.00)'.; and when so amended the bill do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 536, a bill for an act to amend the law as it appears in section thirty-three (33), chapter seventy-two (72), acts of the Thirty-fourth General Assembly, providing for the expenditure of registration fees of motor vehicles, beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Senator Neal, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred House File No. 265, a bill for an act to repeal section 21 and to amend section 24, chapter 131 of the acts of the Thirty-third General Assembly, known as "the military code of Iowa," beg leave to report they have had the same under consideration and recommend the same do pass.

S. W. NEAL,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Arney, Senate File No. 393, a bill for an act to amend section two (2) of chapter one hundred ninety (190) laws of the Thirty-third General Assembly relative to the library commission and traveling library, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Arney moved that the substitute for the original bill be adopted.

Carried.

Senator Arney 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 ayes were:

Allen, Ames, Arney, Boe, Chase, Clarkson, Crow, Doran, Dunnegan, Farr, Fellows, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes McColl, McManus, Neal, Nye, Perkins, Ream, Robinson, Savage, Spaulding, White, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Balkema, Balluff, Cowles, Crist, Darrah, DeWolf, Francis, Gillette, Hagemann, Quigley, Schrup, Sheean, Smith, Sullivan, Taylor, Thomas, Webber—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Chase, Senate File No. 446, a bill for an act to amend section four (4) of chapter sixty-three (63), acts of the Thirty-fourth General Assembly, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Chase moved that the following amendment be adopted:

Strike out the period (.) after the word "assembly" and insert a comma (,) and add the words "relating to assessment of stocks of national, state and savings banks."

Adopted.

Senator Chase 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crow, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Ream, Robinson, Savage, Spaulding, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Balluff, Cowles, Crist, Darrah, DeWolf, Gillette, Hagemann, Jewell, Quigley, Schrup, Sheean, Smith, Taylor, Thomas, Webber —15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On request of Senator Wilson of Clinton, leave of absence was granted Senator Balluff for the day.

On request of Senator Sullivan, leave of absence was granted Senator Gillette for the day.

THIRD READING OF BILLS.

On motion of Senator Chase, Senate File No. 419, a bill for an act to prevent the issuance of free passes for admission to the Iowa state fair, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following amendments were recommended by the Judiciary committee:

By striking out the period at the end of section 1, inserting a comma and adding the following: "and to persons actually in charge of exhibits, employes of the fair, and to governors of this and other states."

Senator Chase asked to have the amendment divided.

President divided the amendment and submitted the first section as follows for the consideration of the Senate: "and to persons actually in charge of exhibits."

On this amendment a roll call was demanded.

Those favoring the amendment were:

Arney, Balkema, Chase, Crow, Darrah, Doran, Dunnegan, Garrett, Heald, Jones, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins, Ream, Thomas, White—20.

The nays were:

Allen, Ames, Boe, Cowles, Dewolf, Farr, Fellows, Francis, Hilsinger, Jewell, Kimball, Mattes, Spaulding, Sulivan, Taylor, Webber, Wison of Appanoose, Wilson of Clinton—18.

Absent or not voting:

Balluff, Clarkson, Crist, Gillette, Hagemann, McManus, Quigley, Robinson, Savage, Schrup, Sheean, Smith—12.

So the amendment was adopted.

The second amendment submitted by the President was as follows:

"employes of the fair"

Senator Francis moved that the bill and amendments be laid on the table.

On this motion a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Boe, Cowles, Crist, Darrah, DeWolf, Doran, Fellows, Francis, Hilsinger, Jewell, Jones, Kimball, Mattes, Perkins, Spaulding, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—22.

The nays were:

Arney, Chase, Clarkson, Crow, Dunnegan, Garrett, Heald, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Quigley, Ream, Sullivan—17.

Absent or not voting:

Balkema, Balluff, Farr, Gillette, Hagemann, Robinson, Savage, Schrup, Sheean, Smith, Webber—11.

So the motion prevailed.

The President announced that as President of the Senate he had signed in the presence of the Senate, House Joint Resolution No. 3, House Files Nos. 260, 424, 456, 509, 653, and 192.

THIRD READING OF BILLS.

On motion of Senator White, House File No. 313, a bill for an act to legalize certain warrants of the city of Iowa City, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator White 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hilsinger, Jewell, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Balluff, Chase, Cowles, Crist, Crow, Gillette, Hagemann, Heald, Jones, Kimball, Mattes, McManus, Savage, Schrup, Sheean, Smith —16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Sullivan, Senate File No. 289, a bill for an act to amend the law as it appears in section twenty-four hundred seventy-two (2472) of the supplement to the code, 1907, and section twenty-four hundred seventy-four (2474) of the code, and to repeal section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and chapter one hundred forty-four (144) of the acts of the Thirty-third (33d) General Assembly amendatory to section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and to enact a substitute therefor, all relating to the bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Heald offered the following amendment and moved its adoption:

I move to amend Senate File No. 289 by inserting after the period following the words "per annum" and before the word "the" in the eighth line of section 3 on page 2 of the printed bill, the following:

"The woman factory inspector herein provided for shall, in addition to the general duties required of her, under the direction of the commissioner of the bureau of labor statistics, inspect the sanitary and general conditions under which the women and children are at work in all factories, workshops, hotels, restaurants, stores, and any other places where women and children are employed; collect statistics and make recommendations and report the same to the commissioner of labor, who shall make special reference thereto in his biennial report to the governor, and said woman factory inspector shall render any other or additional service under the direction of the labor commissioner as will tend to promote the health and general welfare of the women and children employes of this state."

Adopted.

Senator Sullivan 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 ayes were:

Balkema, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Quigley, Ream, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Balluff, Boe, Chase, Cowles, Crow, Gillette, Hagemann, McColl, McManus, Perkins, Schrup, Sheean, Thomas —16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Sullivan, Senate File No. 435, a bill for an act authorizing the issue of flood protection bonds by cities of the first class and cities acting under the commission plan of government, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan moved the adoption of the following amendment:

Amend by inserting after the word "government" in the second line of the original bill the words "having more than seventy-five thousand (75,000) population."

Adopted.

Senator Sullivan 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 ayes were:

Ames, Arney, Boe, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Robinson, Savage, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Balluff, Chase, Clarkson, Cowles, Crow, Gillette, Hagemann, Jewell, McManus, Ream, Schrup, Sheean, Smith, Taylor—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Clarkson, Senate File No. 508, a bill for an act to amend section 836 of the code in reference to re-assessment for local improvements, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clarkson offered the following amendment and moved its adoption:

I move to strike out of the pending bill the words and figures "thirty-fifth (35)" as the same appear in line 10 of the printed bill and substitute therefor the words and figures "thirty-fourth (34th)."

Strike out the words "the supplement to code 1907," in line nine of the printed bill, and substitute therefor the words and figures "the code 1897."

Adopted.

Senator Clarkson 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 ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson; Savage, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Chase, Dunnegan, Farr, Gillette, Hagemann, Jewell, Ream, Schrup, Sheean, Taylor—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Francis, Senate File No. 87, a bill for an act amending the law as it appears in section 2578 of the 1907 supplement to the code relating to revocation of physicians' certificates and defining unprofessional conduct, was taken up and considered.

Senator Francis moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS.

Amend paragraph five (5) and paragraph six (6) by striking out the first two words in said paragraph and inserting in lieu thereof the words, "any advertisment." And by adding the following paragraphs:

"8. Willful neglect of a patient in a critical condition.

9. Accepting any fee for service as a witness in a case at law or equity other than such as is allowed by the court, or that the court is made cognizant of.

10. The demanding of a fee manifestly exorbitant for a surgical operation.

11. The splitting or division, or agreeing to split or divide, any fee or charge paid or to be paid on account of any operation performed or to be performed, upon any patient, with any other person for any service performed or agreed to be performed, or in any consideration of such other person accompanying, bringing or referring to him a patient for any treatment or operation, or on account of such other person assisting him in reference to such treatment or operation without the knowledge and consent of the patient or the person having the patient in charge or the patient's administrator or executor in the event of the patient's death.

12. Knowingly misstating the cause of a death in a death certificate, except where an exact statement would render the physician liable to suit for libel, or subject the decedent or his family to public odium."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Heald, Hilsinger, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Robinson, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—27.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Chase, Cowles, Crist, Dunnegan, Farr, Gillette, Hagemann, Jewell, Jones, McManus, Nye, Perkins, Quigley, Ream, Savage, Schrup, Sheean, Smith, Spaulding, Taylor, White—23.

So the House amendments having received a constitutional majority were declared concurred in.

Senator Hilsinger moved that the Senate do now adjourn until 1:30 p. m. today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 p. m., President Harding presiding.

THIRD READING OF BILLS.

On motion of Senator DeWolf, Senate File No. 540, a bill for an act to legalize a special election of the city of Cedar Falls, Iowa, held March 10, 1913, for the acquiring of a municipal electric light and power plant, and voting bonds therefor, and the resolutions and acts of the city council relating to such electric light and power plant, was taken up and considered.

Senator DeWolf 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 ayes were:

Arney, Balkema, Boe, Chase, Crist, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Perkins, Quigley, Ream, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balluff, Clarkson, Cowles, Dunnegan, Gillette, Hagemann, Nye, Robinson, Schrup, Sheean, Webber, White—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Heald, Senate File No. 312, a bill for an act relating to sentence and commitment of persons convicted of felony and to repeal all acts and parts of acts in conflict therewith, was taken up and considered.

Senator Heald moved that the substitute for the original bill be adopted.

Adopted.

Senator Heald 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 ayes were:

Ames, Arney, Boe, Chase, Crist, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Legel Malmberg, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Balluff, Clarkson, Cowles, Crow, Dunnegan, Gillette, Hagemann, Larrabee, Mattes, McManus, Savage, Schrup, Sheean, Webber—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Legel Senate File No. 208, a bill for an act to amend section 5 of chapter 154 of the session laws of the Thirty-third General Assembly, relative to fees received for hunting 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 Darrah, Senate File No. 368, a bill for an act to require the registration of charitable organizations soliciting public aid and providng penalty for the violations thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jones offered the following amendment and moved its adoption. Insert "or adjoining counties" in line 14, between "county" and "in" in section 1.

Adopted.

Senator Boe moved that the bill be referred to the Judiciary committee.

Motion withdrawn.

Senator Thomas offered the following amendment and moved its adoption.

Amend section two by adding the word "wilfully" after the word "shall" and before the word "violate" in line one of section two.

In line four of section two, strike out the words "less than one hundred dollars nor."

Adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend section one by adding after the word "located" at the end of said section, as follows:

"Provided this act shall not apply to public contributions in churches, or to funds solicited by any church or school, or recognized society of any church or school, in this state."

Senator Francis offered the following amendment to the amendment and moved its adoption:

I move to strike from the amendment all after the word "churches" in line six.

Senator Boe moved that the bill be referred to the Judiciary committee with instructions to report same back to the Senate tomorrow morning.

Carried.

On motion of Senator Darrah Senate File No. 504, a bill for an act to amend the law relating to the form of ballot to be used in the general election as the same appears in section eleven hundred six (1106) of the Supplement to the Code, 1907, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Darrah 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Ream, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

Cowles, Quigley—2.

Absent or not voting:

Balluff, Crow, DeWolf, Francis, Garrett, Gillette, Hagemann, Heald, McColl, Schrup, Sheean, Webber, White—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On request of Senator Ream leave of absence was granted Senator Schrup for the day.

On request of Senator Wilson of Appanoose leave of absence was granted Senator Hagemann for the day.

THIRD READING OF BILLS.

On motion of Senator Robinson House File No. 220, a bill for an act to amend section three (3), chapter one hundred seventy-four (174), laws of the Thirty-fourth General Assembly, relating to the misbranding of foods, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Robinson moved that the rule be suspended, the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Boe, Clarkson, Crist, Darrah, DeWolf, Doran, Fellows, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, MaManus, Neal, Nye, Perkins, Robinson, Smith, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

Savage—1.

Absent or not voting:

Arney, Balluff, Chase, Cowles, Crow, Dunnegan, Farr, Francis, Gillette, Hagemann, Quigley, Ream, Schrup, Sheean, Thomas—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Doran House File No. 445, a bill for an act to confirm the title of Anna L. Edgar to the west one half (W.½) of the southwest quarter (S.W.¼) of section two (2), township eighty-nine (89) north, range thirty-four (34) west 5th P. M. Iowa, and authorizing the issuance of a patent therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran moved that the enacting clause be stricken out.

Carried.

On motion of Senator Crist House File No. 652, a bill for an act to legalize the acts of the electors of the city of Osceola, Iowa, in voting for the issuance of bonds in aid of improvement and extension of the city water works, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Crist moved the adoption of the following amendment:

By adding as section two thereof the following: "Nothing herein shall affect pending litigation"; and by renumbering section 2 as section 3.

Adopted.

Senator Crist 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 ayes were:

Allen, Ames, Balkema, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Arney, Balluff, Chase, Farr, Garrett, Gillette, Hagemann, McManus, Schrup, Sheean—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Smith Senate File No. 357, a bill for an act to amend chapter sixty-two (62) of the acts of the Thirty-fourth General Assembly by striking out the last four (4) lines of section one (1) of said chapter and enacting substitute therefor, relating to the exemption from taxation of property of an honorably discharged soldier or sailor of the Mexican war or of the war of the Rebellion or of the widow of such soldier or sailor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Smith 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 ayes were:

Allen, Ames, Arney, Balkema, Cowles, Crist, Crow, DeWolf, Doran, Dunnegan, Fellows, Heald, Hilsinger, Jewell, Jones, Kim-

ball, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Balluff, Boe, Chase, Clarkson, Darrah, Farr, Francis, Garrett, Gillette, Hagemann, Larrabee, McManus, Neal, Quigley, Sheean, White—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Balkema House File No. 119, a bill for an act to amend section four hundred thirty (430) of the Supplement to the Code, 1907, as amended by chapter twenty-five (25) of the laws of the Thirty-fourth General Assembly relative to the dependent soldiers' and sailors' tax, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema 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 ayes were:

Allen, Ames, Arney, Balkema, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Garrett, Heald, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream, Robinton, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent of not voting:

Balluff, Boe, Chase, Clarkson, Crist, Farr, Francis, Gillette, Hagemann, Hilsinger, Kimball, McManus, Quigley, Schrup, Sheean, White—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator DeWolf House File No. 391, a bill for an act to amend the law as it appears in section two hundred twenty-seven (227) of the Supplement to the Code, 1907, relative to Judicial districts and the number of judges therein and to provide for three judges in the tenth (10th) judicial district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clarkson offered the following amendment and moved its adoption.

I move to strike out all of the bill following the enacting clause and substitute the following:

"Section 1. Where the business of any judicial district is such that the judges elected cannot perform the same within a reasonable time consistent with a proper consideration thereof, the chief justice of the supreme court shall, upon a petition being filed, signed by five or more lawyers of such district, transfer a judge from some judicial district of the state where the business of such district will warrant, who shall hold a term of court or for such time as the judge of the supreme court may determine.

Senator Savage moved the previous question.

Carried.

On the adoption of the amendment offered by Senator Clarkson, a roll call was demanded. Those favoring the amendment were:

Arney, Balkema, Clarkson, Doran, Dunnegan, Fellows, Francis, Jones, Larrabee, Malmberg, Mattes, Neal, Ream, Spaulding, Webber—15.

The nays were:

Boe, Cowles, Crist, DeWolf, Farr, Garrett, Heald, Hilsinger, Jewell, Kimball, McManus, Nye, Perkins, Quigley, Robinson, Savage, Sullivan, Thomas, Wilson of Appanoose—19.

Absent of not voting:

Allen, Ames, Balluff, Chase, Crow, Darrah, Gillette, Hagemann, Legel, McColl, Schrup, Sheean, Smith, Taylor, White, Wilson of Clinton—16.

So the amendment was lost.

Senator DeWolf 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 ayes were:

Ames, Boe, Clarkson, Cowles, Crist, Darrah, DeWolf, Farr, Garrett, Heald, Hilsinger, Jewell, Kimball, Larrabee, Legel Malmberg, McManus, Neal, Nye, Perkins, Quigley, Robinson, Savage, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose—29.

The nays were:

Arney, Balkema, Doran, Dunnegan, Fellows, Francis, Jones, Mattes, Ream—9.

Absent of not voting:

Allen, Balluff, Chase, Crow, Gillette, Hagemann, McColl, Schrup, Sheean, Smith, White, Wilson of Clinton—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Journal of April 5th was taken up, corrected and approved.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the joint committee on Enrolled Bills submitted the following report and moved its adoption:

MR. PRESIDENT—Your Joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Senate File No. 300, a bill for an act to legalize releases and discharges of judgment, mortgages and deeds of trust made by administors, executors or guardians appointed in other states or countries where the provisions of section 3308 of the Code were not observed or complied with.

Also:

Senate File No. 240, a bill for an act to legalize deeds and instruments of conveyance, tax deeds, sheriff's deeds, deeds of administrators, executors, and guardians, and all other conveyances made and recorded prior to the first day of January, A. D., 1890, additional to chapter 6, title 14 of the Code, relating to the conveyance of real estate.

Also:

Senate File No. 388, a bill for an act to legalize certain decrees of courts entered in actions to annul marriages, in which service of the original notice was made by publication.

Also:

Senate File No. 291, a bill for an act to legalize conveyances of real property by foriegn executors or trustees under foreign wills where the provisions of section 3295 of the Code were not observed or complied with.

Also:

Senate File No. 363, a bill for an act for the purpose of having a patent issued in the name of T. F. McCaffery for a certain tract of land

Also:

Senate Joint Resolution No. 10, a bill for an act referring house joint resolution number six (6) relating to the amendment proposed to section one (1) of article two (2) of the constitution of the State of Iowa, to the Thirty-sixth General Assembly.

Also:

Senate File No. 328, a bill for an act to comfirm the title of Anna L. Edgar to the west one-half (W½) of the southwest quarter (S. W. ¼) of section two (2) township eighty-nine (89), north, range thirty-four (34) west 5th P. M. Iowa, and authorize the issuance of a patent therefor.

Also:

Senate File No. 260, a bill for an act to amend section two thousand and eighty-five (2085) of the Supplement to the Code, 1907, relating to taxes in aid of railroads and in relation to the number of signatures of resident freeholders to petitions therefor in cities acting under special charter, and cities having a population of twenty-five thousand (25,000) or over.

Also:

Substitute for Senate File No. 315, a bill for an act providing for the securing of claims of sub-contractors who furnish labor or material for constuction of drainage ditches, in addition to chapter two-a (2-a) title ten (10) Supplement to the Code, 1907.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

The President announced that as President of the Senate he had signed in the presence of the Senate, Senate Files Nos. 300, 240, 388, 328, 260, 315, 291 and 363; also Senate Joint Resolution No. 10.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 291, a bill for an act to legalize conveyances of real property by foriegn executors or trustees under foreign wills where the provisions of section 3295 of the Code were not observed or complied with.

Also:

Senate File No. 363, a bill for an act for the purpose of having a patent issued in the name of T. F. McCaffery for a certain tract of land

Also:

Senate Joint Resolution No. 10, a bill for an act referring house joint resolution number six (6) relating to the amendment proposed to section one (1) of article two (2) of the constitution of the State of Iowa, to the Thirty-sixth General Assembly.

Also:

Senate File No. 328, a bill for an act to comfirm the title of Anna L. Edgar to the west one-half (W½) of the southwest quarter (S. W. ¼) of section two (2) township eighty-nine (89), north, range thirty-four (34) west 5th P. M. Iowa, and authorize the issuance of a patent therefor.

Also:

Senate File No. 260, a bill for an act to amend section two thousand and eighty-five (2085) of the Supplement to the Code, 1907, relating to taxes in aid of railroads and in relation to the number of signatures of resident freeholders to petitions therefor in cities acting under special charter, and cities having a population of twenty-five thousand (25,000) or over.

Also:

Substitute for Senate File No. 315, a bill for an act providing for the securing of claims of sub-contractors who furnish labor or material for constuction of drainage ditches, in addition to chapter two-a (2-a) title ten (10) Supplement to the Code, 1907.

Also:

Senate File No. 300, a bill for an act to legalize releases and discharges of judgment, mortgages and deeds of trust made by administors, executors or guardians appointed in other states or countries where the provisions of section 3308 of the Code were not observed or complied with.

Also:

Senate File No. 240, a bill for an act to legalize deeds and instruments of conveyance, tax deeds, sheriff's deeds, deeds of administrators, executors, and guardians, and all other conveyances made and recorded prior to the first day of January, A. D., 1890, additional to chapter 6, title 14 of the Code, relating to the conveyance of real estate.

Also:

Senate File No. 388, a bill for an act to legalize certain decrees of courts entered in actions to annul marriages, in which service of the original notice was made by publication.

JOHN H. TAYLOR,
Chairman.

Passed on file.

Senator Thomas filed the following motion:

I move to reconsider the vote by which House File No. 340 passed the Senate.

C. H. THOMAS.

Senator Mattes moved that Senate File No. 542 be made a special order for Wednesday at 10:30 o'clock A. M.

Carried.

REPORTS OF COMMITTEES.

Senator Allen, 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. 639, a bill for an act to amend the law as it appears in chapter two-a (2-a) of title ten (10) of the Supplement ot the Code, 1907, relative to the disbursement of surplus drainage funds, beg leave to report they have had the same under consideration and recommend the same do pass.

J. H. ALLEN,
Chairman.

Ordered passed on file.

Senator Allen, from the committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your committee on Retrenchment and Reform to whom was referred House File No. 519, a bill for an act to amend section one hundred eighty-one (181) of the Code, relating to joint committee on Retrenchment and Reform, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 519.

A BILL for an Act to Amend Section One Hundred Eighty-one (181) of the Code, Relating to Joint Committee on Retrenchment and Reform.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section one hundred eighty-one (181) of the Code be amended by adding after the comma following the word "respectively" in the third line of said section the following, "and two (2) members of the minority party from the Senate and two (2) members of the minority party from the House."

Sec. 2. That said section one hundred eighty-one (181) of the Code be amended by adding thereto the following: "The minority members hereinbefore provided for shall be appointed by the President of the Senate and the Speaker of the House, respectively, and if there be more than one (1) minority party represented in either the House or Senate, consisting of five or more members, one (1) member shall be appointed from each of said minority parities and if there be more than two (2) such minority parties, the appointment shall be from the two (2) minority parties having the greatest representation."

Sec. 3. That said section one hundred eighty-one (181) of the Code is hereby amended by adding thereto additional to the amendment in section two (2) hereof, the following: "The authority granted by law to the joint committee on Retrenchment and Reform shall continue after adjournment of the legislature and until the succeeding legislature shall reconvene and organize, with the same force and effect as is now granted by law to such committee during the period the legislature is in session. Said committee shall organize by the election of one (1) of its members as chairman and another of its members as secretary and may meet at such times and places as may be ordered by resolution or upon call of the chairman and three (3) other members of said committee, and the actual expenses of attendance at meetings other than those held during the time the legislature is in session shall be presented and audited by the executive council and paid from any funds in the state treasury not otherwise appropriated, and said committee shall make a record of its meetings and transactions, which record shall be kept in the office of the secretary of state and shall be open to public inspection."

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; and when so amended the bill do pass.

J. H. ALLEN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Jones, 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. 466, a bill for an act to repeal section four thousand eight hundred ninety-seven-a (4897-a) of the Supplement to the Code, 1907, and to enact a substitute relating to escapes from the penitentiary and reformatory, including violations of parole, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the words "without due authority" after the word "leave" and before the word "any" in the sixth (6th) line of section one (1); and when so amended the bill do pass.

F. F. JONES,
Chairman.

Ordered passed on file.

Senator Savage moved that the Senate do now adjourn until 9:00 o'clock A. M. to-morrow.

Carried.

Senate adjonrned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 8, 1913.

Senate met in regular session at 9 o'clock A. M.

President Harding presiding.

Prayer was offered by C. M. Ward, pastor Methodist Episcopal Church, Grand Junction, Iowa.

PETITIONS AND MEMORIALS.

Senator Garret presented a remonstrance of citizens of Muscatine county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Legel introduced the following resolution and moved its adoption:

That the president appoint a committee of three to draft resolutions commemorative of the life, character and public services of the late Charles Gates, Senator 39th district.

Adopted.

President appointed as such committee, Senators Hagemann, Boe and Legel.

REPORT OF COMMITTEE.

Senator Jewell, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate File No. 286, a bill for an act to regulate the practice of suggestive therapeutics in the treatment of mental and bodily ailments, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

P. M. JEWELL,
Chairman.

Senator Jewell moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

On request of Senator Chase, leave of absence was granted Senator Heald until Thursday morning.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 608, a bill for an act to amend the law as it appears in sections 879-d, 879-g, Supplement to the Code, 1907, and to repeal section 879-o, Supplement to the Code, 1907, relative to the powers and duties of river front improvement commissions.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 451, a bill for an act to amend the law as it appears in section 1304 of the Supplement to the Code, 1907, as amended by chapter 81 of the acts of the Thirty-third General Assembly and chapter 61 of the acts of the Thirty-fourth General Assembly, relating to exemptions of different classes of property.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 86 of the Code, relating to lien of tax.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 334, a bill for an act to provide for the planting, care, and protection of ornamental and shade trees on all residence streets of cities of the first class, and special charter cities.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 511, a bill for an act to amend chapter 81 of the acts of the Thirty-third General Assembly, relative to classes of property, exempt from assessment for taxation.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 amend section 2022 of the Supplement to the Code, 1907, providing for private crossings over railroads, giving the board of railroad commissioners power to make orders when the land owner and railroad company are unable to agree.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 543, a bill for an act to regulate common carriers and fix liability as common carriers.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 241, a bill for an act to repeal section 2575-a52 of the Supplement to the Code, 1907, and to enact a substitute therefor, making annual appropriations for carrying on the work of the state entomologist.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 611, a bill for an act authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employees.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 564, a bill for an act to make provisions for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines river improvement grant as school lands.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 502, a bill for an act to amend section 2157-f of the Supplement to the Code, 1907, relating to free franks and transportation.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 671, a bill for an act to authorize the construction of a business men's coliseum and convention hall over the Cedar river in the city of Waterloo, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 677, a bill for an act to legalize the regular city election of Winterset, Iowa, held on the 31st day of March, A. D. 1913, and to legalize a certain franchise and the ratification thereof by the voters at such election.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 506, a bill for an act to amend section 1989-a13 of the Supplement to the Code, 1907, as amended by chapter 118 of the acts of the Thirty-third General Assembly, relating to the use of drainage, warrants in payment of drainage assessments.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 518, a bill for an act providing for the entry of an order by the district court requiring a person in this state to attend and give testimony in a criminal action pending in another state after a petition

has been filed in the office of the clerk of said court, and the person given an opportunity to be heard in opposition thereto and providing punishment for failing to do so.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 406, a bill for an act to amend section nine (9), chapter 154, acts of the Thirty-third General Assembly, relative to hunters' license.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns as requested the following bill:

House File No. 647, a bill for an act for the relief of M. O. Clemens for personal injuries sustained by him while employed as engineer for the treatment of tuberculosis at Oakdale, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns as requested the following bill:

House File No. 439, a bill for an act to authorize the appointment of special agents to aid in the detection, identification, capture and conviction of criminals.

A. C. GUSTAFSON,
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. 466, a bill for an act to authorize the board of supervisors of each county in this state to make provision for the segregation, care and support of indigent persons afflicted with pulmonary tuberculosis in advanced stages.

A. C. GUSTAFSON,
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. 214, a bill for an act authorizing the executive council of Iowa to incur expenses to procure data, make investigations and provide things not otherwise provided to make said executive council to perform the duties imposed by law, and making appropriation therefor.

A. C. GUSTAFSON,
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. 426, a bill for an act to repeal section 313 of the Code and to enact a substitute therefor relating to the admission to the practice of law in this state of attorneys having been duly admitted in other states.

A. C. GUSTAFSON,
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. 206, a bill for an act to amend section 1, chapter 104, acts of the Thirty-third General Assembly, describing the form of index of articles of incorporation, and making it the duty of the recorder to so index said articles.

A. C. GUSTAFSON,
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. 309, a bill for an act to provide the method of construction and operating gypsum mines, to provide for the inspection of the same and to provide penalties for the violation of this act.

A. C. GUSTAFSON,
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. 448, a bill for an act for the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick for a certain tract of land.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 promote horticulture and to make an appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 418, a bill for an act to require the equipment of sanitary closets at railway stations in this state, providing for the regulation and inspection thereof and fixing a penalty for violation of this act.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 349, a bill for an act to amend the law as it appears in section 825 of the Code, relating to street improvements.

A. C. GUSTAFSON,
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. 111, a bill for an act providing for an expression of opinion on the question of suffrage at the next general election.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution relative to the appointment by the governor of a commission to visit Denmark, Norway, Sweden, England, France and Germany, and report their agricultural conditions.

A. C. GUSTAFSON,
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:

Senate concurrent resolution relative to the appointment of a committee to attend the funeral of Daniel L. Castle, and the Speaker appoints as such committee on the part of the House, M. M. Shirk, J. B. Melvin and V. L. Callison.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House File No. 608, a bill for an act to amend the law as it appears in sections eight hundred seventy-nine-d (879-d) and eight hundred seventy-nine-g (879-g), supplement to the code, 1907, and to repeal section eight hundred seventy-nine-o (879-o), supplement to the code, 1907, relative to the powers and duties of river front improvement commissions.

Read first and second time and referred to committee on Judiciary.

House File No. 451, a bill for an act to amend the law as it appears in section thirteen hundred and four (1304), of the supplement to the code, 1907, as amended by chapter 81 of the acts of the Thirty-third General Assembly and chapter 61 of the acts of the Thirty-fourth General Assembly, relating to exemptions of different classes of property.

Read first and second time and referred to committee on Judiciary.

House File No. 404, a bill for an act to amend section eight hundred and sixteen (816) of the code, relating to lien of tax.

Read first and second time and referred to committee on Judiciary.

House File No. 334, a bill for an act to provide for the planting, care and protection of ornamental and shade trees on all residence streets of cities of the first class, and special charter cities; and to provide penalties for violation thereof.

Read first and second time and referred to committee on Cities and Towns.

House File No. 511, a bill for an act to amend chapter eighty-one (81) of the acts of the Thirty-third (33d) General Assembly, relative to classes of property exempt from assessment for taxation.

Read first and second time and referred to committee on Ways and Means.

House File No. 361, a bill for an act to repeal section two thousand twenty-two (2022) of the supplement to the code, 1907, and to enact a substitute therefor, providing for private crossings over railroads and giving the board of railroad commissioners power to make orders when the land owner and railroad company are unable to agree.

Read first and second time and referred to committee on Railroads.

House File No. 543, a bill for an act to fix the liability of common carriers.

Read first and second time and referred to committee on Railroads.

House File No. 241, a bill for an act to repeal section two thousand five hundred and seventy-five-a-52 (2575-a-52) of the supplement to the code, 1907, and to enact a substitute therefor, making annual appropriations for carrying on the work of the state entomologist.

Read first and second time and referred to committee on Appropriations.

House File No. 611, a bill for an act authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employees, providing the powers, duties and compensation of such board and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making appropriation therefor.

Read first and second time and referred to committee on Judiciary.

House File No. 564, a bill for an act making provisions for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines river improvement grant as school lands.

Read first and second time and referred to committee on Judiciary.

House File No. 502, a bill for an act to amend section twenty-one hundred and fifty-seven-f (2157-f) of the supplement to the code, 1907, relating to free franks and transportation.

Read first and second time and referred to committee on Railroads.

House File No. 671, a bill for an act to authorize the construction of a business men's coliseum and convention hall over the Cedar river in the city of Waterloo, Iowa.

Read first and second time and referred to committee on Judiciary.

House File No. 677, a bill for an act to legalize the regular city election of the city of Winterset, Iowa, held on the 31st day of March A. D. 1913, and to legalize a certain franchise, and the ratification thereof by the voters at such election, granted by the said city of Winterset to the Winterset Mutual Telephone Company.

Read first and second time and referred to committee on Judiciary.

House File No. 506, a bill for an act to amend section one thousand nine hundred eighty-nine-a-thirteen (1989-a-13) of the supplement to the code, 1907, as amended by chapter one hundred eighteen (118) of the acts of the Thirty-third General Assembly, relating to the use of drainage warrants in the payment of drainage assessments.

Read first and second time and referred to committee on Judiciary.

House File No. 518, a bill for an act providing for the entry of an order by the district court requiring a person in this state to attend and give testimony in a criminal action pending in another state after a petition has been filed in the office of the clerk of said court, and the person given an opportunity to be heard in opposition thereto, and providing punishment for failing to do so.

Read first and second time and referred to committee on Judiciary.

House File No. 406, a bill for an act to amend section nine (9), chapter one hundred fifty-four (154), acts of the Thirty-third General Assembly relative to hunter's license.

Read first and second time and referred to committee on Fish and Game.

House File No. 647, a bill for an act for the relief of M. O. Clemens for personal injuries sustained by him while employed as engineer in the state sanatorium for the treatment of tuberculosis at Oakdale, Iowa.

Passed on file.

House File No. 439, a bill for an act to authorize the appointment of special agents to aid in the detection, identification, capture and conviction of criminals, delinquents and defectives, and to require the co-operation and assistance of all sheriffs, police and peace officers and all other officers charged with the care, supervision and jurisdiction over criminals, delinquents or defectives.

Passed on file.

Senate File No. 466, a bill for an act to authorize the board of supervisors of each county in this state to make provision for the segregation, care and support of indigent persons afflicted with pulmonary tuberculosis in advanced stages.

HOUSE AMENDMENT.

That section 1 of Senate File No. 466 be amended by adding, following the word "week" in line 11 of section 1 of the bill, the following:

"Provided that in counties of fifteen thousand, or over, population, a sum not to exceed five thousand dollars ($5,000), and in counties of less than fifteen thousand population a sum not to exceed two thousand dollars ($2,000) may be appropriated for constructing, acquiring and equipping buildings without a vote of the qualified electors. The board of supervisors may submit the question of expending a greater amount than above specified to a vote of the people at any general election, and may for such purposes expend the amount by said vote authorized.

Passed on file.

Senate File No. 214, a bill for an act authorizing the executive council of Iowa to incur expenses and make expenditures to procure data, make investigation and provide things not otherwise provided to enable said executive council to perform the duties imposed by law, and making appropriation therefor.

HOUSE AMENDMENT.

Amend section 1, line 11, by striking out the words "code supplement" and inserting in lieu thereof the words "supplement to the code."

Passed on file.

Senate File No. 426, a bill for an act to repeal section three hundred thirteen (313) of the code and to enact a substitute therefor relating to the admission to the practice of law in this state of attorneys having been duly admitted to practice in other states.

HOUSE AMENDMENT.

Amend by striking out section 2, the publication clause.

Passed on file.

Senator Savage was called to the chair at 9:20.

Senate File No. 206, a bill for an act to amend secton 1, chapter 104, acts of the Thirty-third General Assembly, describing the form of index of articles of incorporation, and making it the duty of the recorder to so index said articles.

HOUSE SUBSTITUTE AMENDMENT.

A BILL for an Act to Amend Section One (1), Chapter One Hundred Four (104), Acts of the Thirty-third (33rd) General Assembly, as Amended by Chapter Seventy-three (73) of the Acts of the Thirty-fourth (34th) General Assembly, Describing the Form of Index of Articles of Incorporation, and Making it the Duty of the Recorder to so Index Said Articles.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section one (1) of chapter one hundred four (104) of the acts of the Thirty-third (33rd) General Assembly, as amended by chapter seventy-three (73) of the acts of the Thirty-fourth (34th) General Assembly, be amended by inserting after the word "purpose" in the twelfth line of said section the following:

"The county recorder shall keep in his office an index book for articles of incorporation, which shall be ruled and headed substantially after the following form, and shall make entries therein in the order in which they are filed in his office.

INDEX TO ARTICLES OF INCORPORATION.

Name	Place of Business	Date of Filing			Date of Inst.		Capital Stock	Remarks
		Mo.	Day	Yr.	Book	Page		

Ordered passed on file.

Senate File No. 309, a bill for an act to provide the method of constructing and operating gypsum mines, for escape shafts and for the ventilation of such mines, to provide for the inspection of the same by the state mine inspector, to require operators to report fatal accidents and to provide penalties for violation of this act.

Senator Ream moved that the Senate concur in the following House amendments:

HOUSE AMENDMENT.

Amend Senate File No. 309 as follows:

Strike out the words "in breadth" in line 4 of the printed bill. Also strike out the words "in breadth" in line five.

Also after the word "shafts" in line 6, insert the words "hereafter constructed."

Also following the word "apart" in line 9, insert "and adequate means of escape from mines now in operation."

Also after the word "shaft" in line 11 insert the following "nor shall any building hereafter erected be located within two hundred (200) feet of an escape shaft."

HOUSE AMENDMENT.

By renumbering section 8 as section 9, and by adding as section 8 the following:

Sec. 8. The owner, operator, lessee or person in charge of any gypsum mine shall make or cause to be made an accurate map or plan of such mine, drawn to a scale not more than two hundred (200) feet to the inch, on which shall appear the name of the state, county and township in which the mine is located, the designation of the mine, the name of the company or owner, operator, lessee or person in charge, the certificate of the mining engineer or surveyor as to the accuracy and date of the survey, the north point and the scale to which the drawing is made. Every such map or plan shall correctly show the surface boundary lines of the rights pertaining to each mine and all sections or quarter section lines or corners within the same; the lines of town lots or streets; the tracks or side tracks of all railroads, the location of all wagon roads, rivers, streams, ponds, reservations made of gypsum and mineral. For the underground workings said map shall show all shafts, slopes, tunnells or other opening to the surface or to the workings of a continuous mine; all excavations, entries, rooms and cross cuts; the location of the escape ways, and of the fan or furnace or other means of ventilation and the direction of air currents and the location of permanent pumps, hauling engines, engine plains, abandoned works, fire walls and standing water. A separate and similar map drawn to the same scale in all cases shall be made of each and every seam of gypsum operated in any mine in the state. A separate map shall also be made of the surface whenever the surface buildings, lines or objects are so numerous as to obscure the details of the mine workings if drawn upon the same sheet with them and in such case the surface map shall be drawn upon transparent cloth or paper so it can be laid upon the map of the underground workings and thus truly indicate the local relation of lines and objects on the surface to the excavation of the mine, together with any other principal workings of the mines. Each map shall also show by profile drawing and measurement, the last one hundred fifty (150) feet approaching the boundary lines, showing the rise and dip of the seam. The original or true copies of all such maps shall be kept at the office of the mine and true copies thereof shall also be furnished the state mine inspector for the district in which said mine is located within thirty (30) days after the completion of the same. The maps so delivered to the inspector shall be the property of the state and shall remain in the custody of the said inspector during his term of office and be delivered to his successor in office. They shall be kept at the office of the inspector and be open to examination to all persons interested in the same. But such examination shall only be made in the presence of the inspector or his office assistant, and he shall not permit any copies of the same to be made without the written consent of the operator or the owner of the property, except as herein and otherwise provided. An accurate extension of the last preceding survey of every mine in active operation shall be made once in every twelve (12) months prior to July 1st of every year and the result of such survey with the

date thereof shall be promptly and accurately entered upon the original map and a true, correct and accurate copy of said extended map shall be forwarded to the inspector of mines in the district in which said mine is located so as to show all changes in plan of new work in the mine, and all extension of the old workings to the most advanced face or boundary of said workings, which have been made since the last preceding survey, and the parts of the mine abandoned or worked out after the last preceding survey shall be clearly indicated and shown by colorings, which copy must be delivered to the inspector of mines within thirty (30) days after the last survey is made. When any gypsum mine is worked out or is about to be abandoned or indefinitely closed, the owner, operator or lessee or person in charge of the same shall make or cause to be made a complete extended map of said mine and the result of the same shall be duly extended on all maps of the mine and copies thereof so as to show all excavations and the most advanced workings of the mine and their exact relation to the boundary of section lines on the surface, and deliver to the inspector a copy of the completed map. The state inspector of mines shall order a survey to be made of the workings of any mine and the result to be extended on the maps of the same and the copies thereof whenever in his judgment the safety of the workmen, the support of the surface, the conservation of the property or the safety of the adjoining mine requires it; and if not made by the owner, operator, lessee or person in charge when ordered by the inspector it shall be made or cause to be made by the inspector and paid for by the state and the amount collected from the owner, operator, lessee or person in charge as other debts are collected.

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Arney, Balluff, Boe, Chase, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Ream, Robinson, Sheean, Smith, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Clarkson, Cowles, Crist, DeWolf, Hagemann, Heald, Jewell, Legel, Quigley, Savage, Schrup, Spaulding, Taylor, Webber—16.

So the House amendments having received a constitutional majority were declared concurred in.

Substitute for Senate File No. 448, a bill for an act for the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick, for a certain tract of land.

HOUSE AMENDMENT.

SUBSTITUTE FOR SENATE FILE NO. 448.

A BILL for an Act for the Relief of the Grantees of Elias Myrick, and for the Purpose of Having a Patent Issued in the Name of Elias Myrick for a Certain Tract of Land.

Whereas, it appears that Ed. Clark and other parties are now the owners of the northeast quarter (NE¼) of the southwest quarter (SW¼) of section nineteen (19), township seventy-seven (77), north, range twenty-two (22), west of the fifth P. M., Iowa, in separate parts or tracts thereof by purchase from the grantees of Elias Myrick, the original purchaser or patentee, and said Ed. Clark and other parties now owning said land, and their grantors, immediate and remote, have been in the actual, open, undisturbed and adverse possession of said land, claiming title thereto and improving the same; and

Whereas, it also appears that the said Elias Myrick, on or about the 31st day of January, 1850, purchased said land from the state of Iowa, the same being Des Moines river grant lands, and paid the sum of one hundred dollars ($100.00) therefor, being at the rate of one dollar and twenty-five cents ($1.25) per acre, as shown by the records of the state land office; and

Whereas, It appears that a certificate of purchase, No. 1346, was issued to the said Elias Myrick, but that no patent for said land has ever been issued to the said Elias Myrick or to any other person; therefore,

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the governor and secretary of the state of Iowa are hereby authorized and directed to issue a patent in the name of Elias Myrick for the said northeast quarter (NE¼) of the southwest quarter (SW¼) of section nineteen (19), township seventy-seven (77), north, range twenty-two (22), west of the fifth P. M., Iowa, and the same to inure to the benefit of the said Ed. Clark and others, the present owners of the said forty (40) acre tract.

Sec. 2. This act shall not affect pending litigation.

Ordered passed on file.

Senator Smith offered the following resolution and moved its adoption:

Whereas, Honorable Julian Phelps, for many years a resident of Cass county, Iowa, a noted lawyer and an honored member of the Iowa Senate representing Cass and Shelby counties in the Senate of this state for the term 1893-1897, and was by President McKinley appointed counsel at Crefeld, Germany, which position he held for four years serving his state and nation with credit and honor, departed this life at his home in Hollywood, California, on the 25th day of February, 1913.

Resolved, that a committee of three appointed by the president of the Senate to prepare and submit resolutions commemorating his life, character and public service."

Adopted.

The president appointed as such committee, Senators Smith, Kimball and Wilson of Clinton.

THIRD READING OF BILLS.

The time having arrived for special order, Senate File No. 3, a bill for an act to provide, secure and pay compensation for employes who sustain personal injury while in line of duty, was taken up, and considered.

Senator Kimball offered the following substitute for the bill and moved its adoption:

A SUBSTITUTE FOR SENATE FILE NO. THREE.

A BILL for an Act Relating to Employers Liability for Personal Injury Sustained by Employes in Line of Duty Fixing Compensation Therefor, Securing the Payment Thereof by Indemnity Insurance, Providing for the Appointment of Three Commissioners and Defining Their Powers and Duties.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That for the purpose of providing a suitable employers liability act relating to liability for personal injury sustained by employes in line of duty and fixing compensation therefor there shall be appointed by the governor by and with the consent of a two-thirds majority of the senate a commission of three to be known as the industrial commission; not more than two of whom shall be members of the same political party, and none of whom shall be members of the general assembly at the time of the appoinment, and who shall be duly qualified for the service.

Sec. 2. That the said commission shall investigate and report upon the rates necessary to be provided for and employers liability law providing compulsory accident insurance on a limited compensation schedule and rates for an employers liability law based upon a state insurance system, and for that purpose shall compile statistics with reference to the number of accidents in the various classes of industry in the state of Iowa, and relative to the number of persons employed and the length of time of employment, together with rates of accident insurance covering various limitations of liability in the various classes and risks of employment together with all other information and knowledge necessary and desirable upon which to base the experience for rates and provisions for such law.

The said commission shall investigate and determine as nearly as possible the cost to the state and different districts and counties thereof, occasioned by litigation between employers and employes growing out of accidents, and the cost to the state and counties and districts occasioned by the care of injured employes and care of their dependents growing out of injuries to employes.

Sec. 3. That such commission shall publish such compilation which shall be printed and bound as other state documents and shall cause a copy of the same to be furnished to each member of the general assembly or members elect thereof to succecd those whose terms expire in January, 1915, on or before the fifteenth day of November, 1914.

Sec. 4. That said commission shall have authority to employ the necessary stenographers, clerks and actuary at salaries and compensation to be fixed and determined by the executive council.

Sec. 5. That each member of such commission shall receive the sum of ten dollars ($10.00) per day and necessary expenses for the time actually employed and engaged in the work contemplated herein which shall be paid upon statements of the commission audited and allowed by the executive council.

Sec. 6. That there shall be appropriated out of the monies in the state treasury not otherwise appropriated not to exceed the sum of ten thousand ($10,000) dollars to carry out the provisions of this act.

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.

Senator Clarkson raised the point of order that the bill under consideration was one having to deal between liability of employer and employee while the substitute offered seeks only to have a commission appointed and was therefore not germaine to the subject.

President Pro Tem Savage held point of order not well taken, as the substitute offered, seeks only to accomplish the same purpose as the bill, but in another way.

President Harding resumed the chair at 10:10.

President Pro Tem Savage was called to the chair at 11:25.

Senator Sullivan moved that the Senate do now adjourn until 1:30.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M., President Harding presiding.

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. 669, a bill for an act to provide for the levy of a special tax upon the assessed valuation of the taxable property of the state for a period of ten years for the purchase of real estate for the extension and improvement of the state capitol grounds, to define the limits of said extension, etc.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 3, a bill for an act to provide, secure and pay compensation for employes who sustain personal injury while in line of duty.

On the motion to adopt the substitute offered by Senator Kimball, a roll call was demanded.

Those favoring the motion were:

Balluff, Cowles, Dunnegan, Farr, Kimball, Legel, Savage—7.

The nays were:

Ames, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Hagemann, Hilsinger, Jewell, Jones, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—38.

Absent or not voting:

Allen, Arney, Gillette, Heald, Schrup—5.

So the substitute amendment was lost.

Senator Webber moved that the further consideration of the bill be postponed until tomorrow morning at 9:30 o'clock, making it a special order for that time.

Motion lost.

Senator Cowles offered the following motion:

"I move to substitute Senate File No. 179 for Senate File No. 3 now under consideration.

Senator Webber moved that further consideration of the bill be postponed until 9:30 tomorrow, and made a special order for that time.

Carried.

Senator Farr offered the following substitute for Senate File No. 3.

A BILL for an Act to Provide, Secure and Pay Compensation for Employees Who Sustain Personal Injury While in Line of Duty, and to Provide Means for Such Compensation, and Provide for a Commission to Determine Risks, Hazards and Amounts of Indemnities.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1-a. Where five or more employees, as defined by this act, are employed in the same general employment and in the usual and ordinary transaction of business, the employer and employe shall be deemed to have come within this act, and in case of personal injuries sustained, arising out of and in the course of employment by any such employe, he

shall be compensated as hereinafter provided and the employer shall be relieved from further and other liability than that provided for in this act.

(b) Where a state, county, municipal corporation, school district, cities under special charter or commission form of government is the employer, the limitation of five employees shall not apply, and as to such employees and employers thereof the rights and remedies as by this act provided to pay compensation for personal injury sustained by such employees arising out of and in the course of the employment shall be exclusive and compulsory.

Sec. 2. No compensation under this act shall be allowed for an injury: (a) Caused by the employee's wilful intent to injure himself or to wilfully injure another; (b) nor shall compensation be made to an injured employee if injury is sustained while intoxicated.

Sec. 3. The rights and remedies provided in this act for an employee on account of an injury, shall be exclusive of all other rights and remedies of such employee, his personal or legal representatives, dependents or next of kin, at common law or otherwise on account of such injury; and all employees shall be conclusively presumed to take compensation in accordance with the terms, conditions and provisions of this act.

Sec. 4. Where an employee coming under the provisions of this act receives an injury for which compensation is payable under this act, and which injury was caused under circumstances creating a legal liability in some other person than the employer, to pay damages in respect thereof;

(a) The employee or beneficiary may take proceedings against that person to recover damages, but the amount of compensation to which he is entitled under this act shall be reduced by the amount of damages recovered.

(b) If the employee or beneficiary in such case accepts compensation under this act, the industrial commission shall be entitled to indemnity from the person so liable to pay damages as aforesaid and shall be subrogated to the rights of the employee to recover therefor, and shall proceed to collect from such person and pay the amount collected to the state treasurer, which sum shall become a part of the employers' indemnity fund.

Sec. 5. No contract, rule, regulation or device whatsoever, shall operate to relieve the employer in whole or in part, from any liability created by this act, except as herein provided.

Sec. 6. No compensation shall be allowed for an injury which does not disable either wholly or partially the employee for a period of more than two weeks, and if the disability be partial, then he shall receive such a part of the compensation allowed for total disability as his earning capacity shall be impaired by said injury.

Sec. 7. No compensation shall be allowed to any employee unless he or his representative shall have given notice of such injury to the industrial commission or to his employer within ninety (90) days of the accident causing his injury, and in no event shall any compensation be allowed to such employee or the beneficiaries for any period of time prior to two weeks of the giving of said notice to the industrial commission or the employer.

Sec. 8. No particular form of notice shall be required, but it shall state as nearly as possible the name of the employer and employee, the date, place and manner and kind of accident and the nature of the injury.

Sec. 9. At any time after the injury and until the expiration of four weeks of incapacity, the industrial commission if so requested by the injured employee or any one for him, shall furnish reasonable surgical, medical and hospital service and supplies not exceeding one hundred dollars ($100.00), and the employer shall upon demand of the employee, under such circumstances, furnish any immediate supplies or attendance that may be required and he shall be reimbursed to the amount of 80 per cent out of the funds hereinafter provided; but in any event, the employer shall furnish 20 per cent of the cost of said surgical and medical attendance and other care, furnished the first four weeks.

(b) Where the injury causes death, the compensation under this act shall be as follows:

The industrial commission shall draw a warrant upon the fund hereinafter provided not in excess of one hundred dollars ($100.00), to pay the reasonable expenses of the employee's last sickness and burial, and if the employee leaves no dependents, this shall be the only compensation; provided, however, that if the injury from which death ensued was produced by reason of the failure and negligence of the employer to comply with statutory requirements regarding safety devices for workmen or by reason of the failure and neglect of the employer to comply with the rules and regulations relating to safety for employees, such offending employer shall be required to pay full death benefits as provided for in this act, which sum shall be paid to the state treasurer and constitute a portion of the employee's indemnity fund and the industrial commission shall proceed to collect the amount of the same.

(c) If death results from the injury, the industrial commission shall draw warrants upon the state treasury in favor of the dependents of the employee who are wholly dependent upon his earnings for support at the time of the injury, for a weekly payment equal to 50 per cent of his average weekly wages, but not more than $12.00 nor less than $5.00 per week for a period of 250 weeks. But if the wages are less than $5.00 per week, then weekly payment shall be the full amount of the weekly wages.

(d) If the employee leave dependents only partially dependent upon his earnings for support at the time of the injury, the weekly compensa-

tion to be paid as aforesaid shall be equal to the same proportion of the weekly payments for the benefit of the persons wholly dependent as the amount contributed by the employee to such partial dependents bears to the annual earnings of the deceased at the time of the injury. When weekly payments have been made to an injured employee before his death, the compensation to dependents shall begin from the date of the last of such payments, but shall not continue for more than 250 weeks from the date of the injury.

(e) Where the injury causes death to an employee, a minor, whose earnings are received by the parent, the compensation to be paid the parent shall be onehalf of the amount, provided for payment in subdivision "c" of this section. But such payments shall not continue longer than the date of majority of said minor, had he lived.

(f) For injury producing temporary disability, fifty per cent of the average weekly wages received at the time of the injury, subject to a maximum compensation of $12.00 and a minimum of $5.00 per week; provided, that if at the time of the injury, the employee receives wages less han five dollars per week, then he shall receive the full compensation and wages per week. This compensation shall be paid during the period of such disability, not, however, beyond 250 weeks.

(g) For disability total in character and permanent in quality fifty per cent of the average weekly wages received at the time of the injury, subject to a maximum compensation of $12.00 per week and a minimum of $5.00 per week. Provided that if at the time of the injury, the employee receives wages less than five dollars per week, then he shall reseive the full amount of wages per week. This compensation shall be paid during the period of such disability, but not beyond 250 weeks.

(h) In case of complete disability lasting beyond 250 weeks, compensation shall be paid thereafter during life of not less than $10.00 per month, nor more than $20.00 per month, payable monthly.

(i) For disability partial in character and permanent in quality, the compensation of same shall be based upon the extent of such disability.

For all cases included in the following schedule compensation shall be paid as follows:

(1) For the loss of a thumb, 50 per cent of daily wages during forty weeks.

(2) For the loss of a first finger, commonly called the index finger, 50 per cent of daily wages during 30 weeks.

(3) For the loss of a second finger, 50 per cent of daily wages during twenty-five weeks.

(4) For the loss of a third finger, 50 per cent of daily wages during twenty-five weeks.

(5) For the loss of a fourth finger, commonly called the little finger, 50 per cent of daily wages for fifteen weeks.

(6) For the loss of the first phalange of the thumb or of any finger shall be considered to be equal to the loss of one-half of such thumb or finger and compensation shall be one-half of the amounts above specified.

(7) The loss of more than one phalange shall be considered as the loss of the entire finger or thumb; provided, however, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

(8) For the loss of a great toe, 50 per cent of daily wages during twenty-five weeks.

(9) For the loss of one of the toes other than the great toe, 50 per cent of daily wages during fifteen weeks.

(10) For the loss of the first phalange of any toe, shall be considered to be equal to the loss of one-half of such toe and the compensation shall be one-half of the amount above specified.

(11) The loss of more than one phalange shall be considered as the loss of the entire toe.

(12) For the loss of a hand, 50 per cent of daily wages during 150 weeks.

(13) For the loss of an arm 50 per cent of daily wages during 200 weeks.

(14) For the loss of a foot 50 per cent of daily wages during 125 weeks.

(15) For the loss of a leg, 50 per cent of daily wages during 175 weeks.

(16) For the loss of an eye, 50 per cent of daily wages during 100 weeks.

(17) For the loss of both arms, or both hands, or both feet, or both legs, or both eyes, or of any two thereof, shall constitute total and permanent disability to be compensated according to provisions of clause "g", section nine, part one hereof.

(18) In all other cases in this, clause "i," the compensation shall bear such relation to the amount stated in the above schedule as the disability bears to those produced by the injuries named in this schedule.

(19) The amounts specified in this, clause "i," and subdivisions thereof shall be subject to the same limitations as to maximum and minimum weekly payments as are stated in clause "f," section nine hereof.

Sec. 10. Where an employee is entitled to compensation under this act for an injury received and death ensues from any cause not resulting from the injury for which he was entitled to the compensation, payments of the unpaid balance for such injury shall cease and all liability therefor shall terminate.

Sec. 11. After an injury the empoyee, if so requested by his employer or the industrial commission, shall submit himself for examination at some reasonable time and place within the state and as often as may be reasonably requested, to a physician or physicians authorized to practice under the laws of this state without cost to the employee; but if the employee requests, he shall, at his own cost, be entitled to have a physician or physicians of his own selection present to participate in such examination. The refusal of the employee to submit to such examination shall deprive him of the right to compensation during the continuance of such refusal. When a right to compensation is thus suspended no compensation shall be payable in respect to the period of suspension.

Sec. 12. The compensation herein provided shall be the measure of the responsibility which the employer and the industrial commission has assumed for injuries or death that may occur to employees subject to the provisions of this act.

Sec. 13. Where a minor dependent or one physictlly or mentally incapacitated from earning is entitled to compensation under this act, payment shall be made to a trustee appointed by the judge of the district court for each county in the respective judicial districts, and the money coming into the hands of the said trustee shall be expended for the use and benefit of the person entitled thereto under the direction and orders of the judge during term time or in vtcation. The trustee shall make annual reports to the court of all money or property received and expended for each person, and for services rendered as trustee shall be paid such compensation by the county as the court may direct by written order directed to the auditor of the county who shall issue a warrant therefor upon the treasurer of the county in which the appointment is made. If the judge making the appointment deems it advisable, a trustees may be appointed to serve for more than one county in the district and the expenses shall be paid rateably by each county according to the amount of work performed in each coutny. The trustee shall qualify and give bond in such amount as the judge may direct, which may be increased or diminished from time to time as the court may deem best.

Sec. 14. In all cases where a party is entitled to compensation under this act, compensation may be made at any time in a lump sum for good cause shown to be for the best interest of the beneficiary by petition to the industrial commission or a judge of the district court in the county where the injury to the employee occurred.

Sec. 15. The basis for computing compensation provided for in this act shall be as follows:

(a) The compensation shall be computed on the basis of the annual earnings which the injured person received as salary, wages or earnings, in the employment of the same employer during the year next preceding the injury.

(b) Employment by the same employer shall be taken to mean employment by the same employer in the grade in which the employee was employed at the time of the accident, uninterrupted by absence from work, due to illness or any other unavoidable cause.

(c) The annual earnings, if not otherwise determinable, shall be regarded as two hundred eighty (280) times the average daily earnings in such computation.

(d) If the injured person has not been engaged in the employment for a full year immediately preceding the accident, the compensttion shall be computed according to the annual earnings which persons of the same class in the same or in neighboring employments of the same kind have earned during such period. And if this basis of computation is impossible or should appear to be unreasonable, two hundred eighty (280) times the amount which the injured person earned on an average of those days wehn he was working during the year next preceding the accident, shall be used as a basis for the computation.

(e) In case of injured employees who earn either no wages or less thtn two hundred eighty (280) times the usual daily wage or earnings of the adult day laborer in the same line of industry of that locality the yearly wage shall be reckoned as two hundred eighty (280) times the average daily local wages of the average wage earner in that particular kind or class of work; or if information of that class is not obtainable, then of the class or kindred or similarity in the same general employment in the same neighborhood.

(f) As to employees in employments in which it is the custom to operate for a part of the whole number of working days in each year, such number shall be used instead of two hundred eighty as a basis for computing the annual earnings, provided, the minimum number of days which shall be used for the basis of the year's work shall not be less than one hundred (100).

(g) Earnings, for the purpose of this section, shall be based on the earnings for the number of hours commonly regarded as a day's work for that employment, and shall exclude overtime earnings. The earnings shall not include any sum which the employer has been accustomed to pay the employe to cover any special expense entailed on him by the nature of his employment.

(h) In computing the compensation to be paid to any employee who, before the accident for which he claims compensation, was disabled and drawing compensation under the terms of this act, the compensation for each subsequent injury shall be apportioned according to the proportion of incapacity and disability caused by the respective injuries which he may have suffered.

Sec. 16. Definitions. In this act unless the context otherwise requires:

(a) "Employer" includes and applies to any person, firm, association or corporation, and includes state, counties, municipal corporations, cities under special charter and under commission form of government and shall include school districts and the legal represetnatives of a deceased employer. It includes the owner or lessee of premises who is virtually the proprietor or operator of the business there carried on, but who, by reason of there being an independent contractor or for any other reason is not the direct employer of the workmen there employed. Whenever necessary to give effect to section 4 of this act, it includes a principal or intermediate contractor.

(b) "Workman" is used synonymously with "employee" and means any person who has entered into the employment of, or works under contract of service, express or implied, or apprenticeship for an employer, except a person whose employment is purely casual and not for the purpose of the employer's trade or business or those engaged in clerical work only, or one holding an official position or standing in a representative capacity of the employer, or an official elected or appointed by the state, county, school district, municipal corporation, cities under special charter and commission form fo government; provided, that one who sustains the relation of contractor with any person, firm, association, corporation or the state, county, school district, municipal corporation, cities under special charter or commission form of government, shall not be considered an employe thereof.

The term "workman" shall include the singular and plural of both sexes. Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his dependents as herein defined, legal representatives or where the workman is a minor or incompetent to his guardian or next friend.

(c) The following shall be conclusively presumed to be wholly dependent upon a deceased employee:

The surviving spouse, if at the time of the injury, the deceased and the surviving spouse were domiciled within this state and living together, or if living separately, the deceased was contributing directly to the support of the survivor, or had been by any court of competent jurisdiction ordered to contribute to the support of said survivor, provided, however, that no surving spouse shall claim any benefits under

this act unless it be shown by competent evidence that the deceased and the survivor had been regularly married by some form of marriage ceremony provided for by the statutes of the state of Iowa or some other state or country.

(2) A child or children under sixteen years of age (and over said age if physically or mentally incapacitated from earning) whether actually dependent for support upon the parent at the time of his or her death.

(3) A parent of a minor entitled to the earnings of the employee at the time when the injury occurred, subject to provisions of subdivision "e," section nine hereof.

(4) If the deceased employee leaves dependent surviving spouse, the full compensation shall be paid to such spouse; but if the dependent surviving spouse dies before payment is made in full, the balance remaining shall be paid to the person or persons wholly dependent, if any, share and share alike. If there be no person or persons wholly dependent, then payment shall be made to partial dependents, but if there be no partial dependents then the payments shall cease.

(5) In all other cases questions of dependency in whole or in part shall be determined in accordance with the facts as the facts may be at the time of the injury; and in such other cases if there is more than one person wholly dependent, the death benefit shall be equally divided among them, and persons partially dependent, if any, shall receive no part thereof. If there is no one wholy dependent and more than one person partially dependent, the death benefit shall be divided among them according to the relative extent of their dependency; provided, however, that when a lump sum is paid as contemplated by this act, the court or commission in making distribution thereof, shall take into consideration the contingent rights of partial beneficiaries or the rights of those who may become such after a wholly dependent child or children become sixteen years of age.

(6) Step-parents shall be regarded in this act as parents.

(7) Adopted child or children or step-child or children shall be regarded in this act the same as if issue of the body.

(d) "Injury" or "personal injury" includes death resulting from injury.

(e) The words "personal injury arising out of and in the course of such employment" shall include injuries of employees whose services are being performed on, in or about the premises which are occupied, used or controlled by the employer, and also injuries to those who are engaged elsewhere in places where their employer's business requires their presence and subjects them to dangers incident to the business.

(f) The words "injury and personal injury" shall not include injury caused by the wilful act of a third person directed against an employee for reasons personal to such employee or because of his employment.

(g) They shall not include a disease except as it shall result from the injury.

(h) "Industrial employment" includes only employment in occupations, callings, businesses or pursuits which are carried on by the employer for the sake of pecuniary gain.

(i) The word "court" whenever used in this act unless the context shows otherwise, shall be taken to mean the district court.

Sec. 17. When any workman shall be injured, the industrial commission shall determine the amount of hi sindemnity and his employer shall within twenty days thereafter pay to the treasurer ten per cent of the amount of said indemnity, except when the injury was occasioned by the failure of the employer to furnish safety devices as provided by law and the rules of lawfully appointed inspectors, and then the employer shall pay the full amount of the indemnity to the treasurer as provided in division "b" of section nine.

Sec. 18. This act shall not apply nor in any wise affect any action now pending or hereafter instituted to recover for injuries sustained or occurring prior to the time when this act becomes effective in all its parts.

Sec. 19. The provisions of this act shall apply to employers and employees as defined in this act engaged in intra-state commerce and also those engaged in interstate or foreign commerce for when a rule or method of compensation has been or may be established by the congress of teh United States, only to the extent that their mutual connection with intra-state work or foreign commerce shall be clearly separable and distinguishable from interstate or foreign commerce; provided that any such employer and workman of such employer working only in this state may subject to the approval of the industrial commission, and so far as not forbidden by any act of congress or permitted, may voluntarily by written agreement, accept and become bound by the porvisions of this act in like manner and with the same force and effect in every respect as by this act provided for other employers and employees.

PART II.

Sec. 20. There is hereby created a board which shall be known as the Industrial Commission, consisting of three members, not more than two of whom shall be of the same political party, to be appointed by the governor by and with the consent of a two-thirds majority of the Senate, which first appointment shall be made during the session of the Thirty-sixth General Assembly. The term of office of mem-

bers of the commission shall be appointed for two years, one for four years and one for six years. Thereafter one member shall be appointed, at the expiration of any term of office, for the full term of six years. Appointments may be made to fill vacancies or otherwise; when the Senate is not in session, but shall be acted upon at the next session thereof. The member appointed for the two year term shall act as chairman of the commission and thereafter the member whose term will first expire, from time to time, shall serve in that capacity; provided, that if an appointment be made to fill a vacancy of a member while filling the position of chairman, the member whose term will next expire shall succeed the office of chairman.

Sec. 21. The salary and actual necessary expenses of the commission shall be paid by the state and the commission shall be provided with adequate and necessary office rooms, furniture, equipment, supplies and other necessaries in the transaction of the business. The salaries of the commissioners and other employees connected with the commission shall after April 1, 1915, be fixed by the Thirty-sixth General Assembly and the method of payment and kinds of vouchers and receipts shall then be provided for.

Before entering upon their duties, each member of the commission shall qualify by taking the oath of his office, that he iwll support the constitution of the United States and of the state of Iowa, and will faithfully and impartially without fraud, fear or favor, discharge the duties of his office incumbent upon him as provided by the law of the state of Iowa to the best of his ability and understanding.

Sec. 22 It shall be the duty of the industrial commission upon notification that an employe has been injured, to investigate and determine the amount that shall be allowed the injured employe and the times of payment thereof, and in fixing the amount, the commission shall be governed by the terms and conditions of this act.

Sec. 23. Fees of attorneys and physicians for services under this act shall be subject to the approval of the industrial commission unless otherwise provided in this act.

Sec. 24. Every employer shall hereafter keep a record of all injuries fatal or otherwise, sustained by his employes in the course of their employment. Within forty-eight hours not counting Sundays and legal holidays, after the occurrence of an accident resulting in personal injury, a report shall be made in writing to the industrial commission on blanks to be procured from the commission for that purpose.

Sec. 25. It shall be unlawful for any member of the commission during his term of office, to serve upon any other committee of any political party or espouse the election or appointment of any person for any political office or contribute to any campaign fund of any political party, or to the campaign fund of any person who is a candidate for election

or appointed to any political office. A violation of this section shall be deemed a misdeameanor and upon conviction shall be fined one hundred ($100.00) dollars.

Sec. 26. It shall be unlawful for any person who is a candidate for the appointment as a member of the commission to make any promise to another, expressed or implied, in consideration of any assistance or influence given or recommendation made that the candidate will, if appointed as a member of the commission, vote to appoint such person or one for whom he may recommend to an office within the power of the commission to appoint. A violation thereof shall be deemed a misdemeanor and upon convictin thereof shall be fined one hundred ($100.00) dollars.

Sec. 27. It shall be unlawful for any member of the commission to become financially interested in any business enterprise coming under or affected by this act during his term of office and any member offending this statute, it shall be sufficient grounds for his removal from office and in such case the governor shall at once declare the office vacant and appoint another to fill the vacancy.

Sec. 28. Upon a conviction of any member of the commission for a violation of the duties imposed by this act, the governor shall immediately declare the office vacant and appoint another to fill the vacancy in the same manner as provided for orginal appointments.

Sec. 29. After the 1st day of May, 1915, every employer of labor or service shall pay a license as provided for in this act and in accordance with the rules fixed by the industrial commission, and if any employer shall fail so to do or fail to make payment as in this act provided, he shall forfeit for each offense or failure to pay five times the amount fixed or charged in each payment, and until said date the relative rights of injured employes and employers shall be and remain as it now is.

Sec. 30. On the first day of May, 1915, every employer, under this act, shall certify to the industrial commission the number of persons employed by him, and shall state the name, place, nature of business or occupation, and at the same time he shall forward to the commission a draft or certified check for the sum of one dollar for each person employed by him. Also every employer beginning business after said date, shall, upon the commencement of business, make a like certified statement, and forward to the commission a draft or certified check for one dollar per each person employed by him, which amount in every event shall be immediately turned over to the state treasurer, who shall issue duplicate receipts therefor, one of which shall be sent to the employer and the other filed by tne commission. The sum so paid shall constitute a part of the payment for license or tax due from the employer to the state for the privilege of carrying on said business.

Sec. 31. On the 15th day of the third month, after filing first certified statement with the commission, said employer shall certify his

payroll for the past quarter to the industrial commission and shall accompany the same with a check or draft for the per cent of wages shown in said payroll as fixed by the industrial commission, as the per cent to be paid on his class or kind of occupation and the said check shall be turned over to the treasurer who shall issue duplicate receipts therefor, and the said employer shall continue so to do for each and every quarter thereafter until otherwise directed by the industrial commission.

Sec. 32. The first payment above mentioned, together with the four quarterly payments shall be the cost of the license charged by the state to the employer for the first year, and each four quarterly payments thereafter shall be the cost of the license for each following year.

Sec. 33. The funds received from the licenses, together with other funds and interest paid into the treasury as in this act provided, shall constitute the employes' indemnity fund.

Sec. 34. The state treasurer shall deposit said funds at two per cent interest. Said funds shall be paid out on warrants drawn by the industrial commission in favor of the various injured employes and their dependents as provided in section nine hereof.

Sec. 35. The industrial commission shall ascertain as nearly as possible the amount saved to the state and the various counties thereof by the decrease in costs of litigation and expenses in providing for and caring for persons injured and their families because of the operation of this act, and shall certify said gross amount to the executive council from time to time and the executive council shall levy millage tax on all the taxable property in the state of Iowa to be collected as other taxes, and when so collected, shall be turned over to the treasurer and become a part of the employes' indemnity fund.

Sec. 36. If at any time it shall become apparent to the industrial commission that the licenses charged, together with other funds shall be more than sufficient to pay the indemnities, the industrial commission shall decrease the license fees of all employers pro rata, so that the funds collected from all sources shall be approximately sufficient to pay indemnities. But if the indutsrial commission shall ascertain that the employes' indemnity fund shall not be sufficient to meet the demands, then the industrial commission shall increase the licenses pro rata until the various sources of income shall be sufficient to maintain an adequate fund. But under no circumstances shall the fund be decreased unless the amount on hand shall be at least three hundred thousand dollars, ($300,000), and the decrease in licenses shall be so established that the fund on hand at any one time shall not go below one hundred and fifty thousand dollars ($150,000.00).

Sec. 37. Every employer coming within this act shall make true certification of his payroll for each month and make payment of proper per cent as fixed in the license, and if any employer shall make a false

statement, understating the payroll, he shall for each offense forfeit and pay to the state treasurer, to become a part of the indemnity fund, fifty times the amount which his erroneous statement would decrease the amount to be paid by him under a correct statement of his payroll.

Sec. 38. Upon the appointment and qualification of the industrial commission, it shall proceed to investigate and determine the hazard and risk of each class or kind of employment and shall fix the per cent of his payroll which each employer shall pay as a license for the privilege of carrying on his occupation and the percentage so fixed shall remain and be paid by such employer until the percentage shall be changed by the industrial commission.

Sec. 39. The industrial commission shall from time to time make any change which shall be equitable in the percentage charged by the state for employer's license. The industrial commission in fixing the per cent to be charged on each payroll for the state license shall be guided as nearly as possible by all information obtainable as to the hazard of such employment, the liability of accident and the probable aggregate amount required to indemnify all employes injured and entitled to compensation under this act.

Sec. 40. It shall be the duty of the industrial commission to classify all industries according to hazard and liability to injury and certify to the schedule so made, and each employer within this act shall be entitled to a copy thereof and such schedules shall also be furnished to the thirty-sixth general assembly and each general assembly thereafter with any changes that have been made during the period, during the assembling of the respective general assemblies and each general assembly is empowered by a majority vote of both houses to change any schedule or schedules fixed by the industrial commission.

Sec. 41. In fixing the schedule of licenses, the industrial commission shall be governed as nearly as possible by the hazard or liability of accident in each class or kind of employment and shall as nearly as possible fix the amount of license to be paid by each class or kind of employment so that each kind or class of employment shall pay into the indemnity fund such a proportion of the whole fund as the indemnities paid to the employes in that class of employment is of all indemnities paid.

Sec. 42. Before any employer shall discontinue the business or occupation in which he is engaged, wherein any employe or employes shall be injured and became beneficiaries under this act, he shall pay to the state treasurer to become a part of the employes' indemnity fund, the full amount of such indemnity, less the amount theretofore paid in licenses or otherwise relating to such occupation, and he and his estate shall be liable for such obligations, the same as other ordinary debts.

PART III.

Sec. 43. That for the purpose of providing a suitable employes' indemnity fund relating to liability for personal injury sustained by employes in line of duty and fixing compensation therefor there shall be appointed by the governor by and with the consent of a two-thirds majority of the senate a provisional commission of thre to be known as the industrial commission; not more than two of whom shall be members of the same political party, and none of whom shall be members of the general assembly at the time of the appointment, and who shall be duly qualified for the service, and whose term of office shall expire March 1, 1915.

Sec. 44. That the said commission shall investigate and report upon the rates necessary to be provided for and employers liability law providing compulsory accident insurance on a limited compensation schedule and rates for an employers liability law based upon a state insurance system, and for that purpose shall compile statistics with reference to the number of accidents in the various classes of industry in the state of Iowa, and relative to the number of persons employed and the length of time of employment, together with rates of accident insurance covering various limitations of liability in the various classes and risks of employment together with all other information and knowledge necessary and desirable upon which to base the experience for rates and provisions for such a law.

The said commission shall investigate and determine as nearly as possible the cost to the state and different districts and counties thereof, occasioned by litigation between employers and employes growing out of accidents, and the cost to the state and counties and districts occasioned by the care of injured employes and care of their dependents growing out of injuries to employes.

Sec. 45. That such commission shall publish such compilation which shall be printed and bound as other state documents and shall cause a copy of the same to be furnished to each member of the general assembly or members elect therof to succeed those whose terms expire in January, 1915, on or before the 15th day of November, 1914.

Sec. 46. That said commission shall have authority to employ the necessary stenographers, clerks and actuary at salaries and compensation to be fixed and determined by the executive council.

Sec. 47. That each member of such commission shall receive the sum of ten dollars ($10.00) per day and necessary expenses for the time actually employed and engaged in the work contemplated herein which shall be paid upon statements of the commission audited and allowed by the executive council.

Sec. 48. That there shall be appropriated out of the moneys into the state treasury not otherwise appropriated not to exceed the sum of ten thousand ($10,000) dollars to carry out the provisions of this act.

Senator Gillette filed the following amendments:

1. I move to amend Senate File No. 3 by striking from section nine (9) all of said section commencing with the word "provided" in line nine (9) thereof down to and including the word "notice" in the thirteenth (13th) line thereof.

Also by striking out the word "further" in the thirteenth (13th(line of section nine (9).

G. M. GILLETTE.

2. I move to amend Senate File No. 3 by striking from sub-division b of section three (3) all the words following the comma after the word "law" in line fourteen (14) of said sub-division down to and including the word "party" in the twenty-second (22d) line thereof and substituting in lieu of the stricken portion the words "or secured by statutory enactment."

G. M. GILLETTE.

3. I move to amend Senate File No. 3 by striking from the third (3d) line of section two (2) thereof the words "while intoxicated" and substituting in lieu thereof the words, "where intoxication of the employee was the proximate cause of the injury."

G. M. GILLETTE.

Senator Cowles asked unanimous consent to reconsider the vote by which House File No. 647 was undefinitely postponed.

Consent granted.

Senator Cowles moved that the vote by which House File No. 647 was indefinitely postponed be reconsidered.

Carried.

The bill was referred to committee on Appropriations.

Senator Savage called up for consideration the resolution relative to the appointment of a Sifting committee.

Senator Savage offered the following substitute for the resolution offered by him on March 29th, and moved its adoption:

Resolved, That the President of the Senate shall immediately appoint a Sifting committee of seven (7) members to which shall be referred all bills, other than appropriation bills, and that beginning Wednesday morning, April 9, 1913, no bills except appropriation bills and special orders now upon the calendar shall be considered unless reported by

said Sifting committee, and no bills shall be reported by said committee or considered by the Senate that have been reported for indefinite postponement.

A. C. SAVAGE.

Senator Francis offered the following amendment to the substitute offered by Senator Savage and moved its adoption:

I move to amend by striking from line 10 the word "now" and substitute therefor the word "then." Also amend by striking from lines 14 and 15 the words, "or considered by the Senate."

I move to amend by striking from lines 9 and 10 the words "special orders" and substituting therefor the word "bills."

Senator Webber moved the previous question.

Carried.

The amendment offered by Senator Francis was adopted.

The substitute as amended was adopted.

The resolution as amended was adopted.

The president announced as Sifting committee, Senators Savage, Mattes, Francis, Cowles, Perkins, Wilson of Clinton and DeWolf.

INTRODUCTION OF BILLS.

By committee on Pharmacy, Senate File No. 544.

A BILL for an Act to Amend the Law as it Appears in Chapter One Hundred Twentysix (126), Acts of the Thirty-fourth General Assembly, Relating to the Sale of Cocaine and Certain Other Drugs; and to Repeal the Law as it Appears in Section Twenty-five Hundred Ninety-six-b (2596-b) of the Supplement to the Code, 1907, Relating to the Penalty for the Unlawful Sale of Such Drugs.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in chapter one hundred twenty-six (126), acts of the Thirty-fourth General Assembly, be and the same is hereby amended by adding thereto the following:

Sec. 2. Any one found guilty of violating the provisions of the preceding section for the first offense, shall pay a fine of not more than fifty ($50.00) dollars nor more than two hundred dollars ($200.00) and costs of prosecution and stand committed to the county jail until such fine and costs are paid. For the second offense, he shall pay upon conviction thereof a fine of not less than two hundred dollars ($200.00) nor more than five hundred dollars ($500.00) and costs of prosecution, or be imprisoned in the county jail not to exceed one (1) year. For the third and each subsequent offense, he shall be punished by imprisonment in the penitentiary for a term of not less than one (1) nor more than three (3) years."

Sec. 3. That the law as it appears in section twenty-five hundred ninety-six-b (2596-b) of the Supplement to the Code, 1907, and all acts or parts of acts in so far as they are in conflict herewith are hereby repealed.

Read first and second time and placed on the calendar.

By committee on Ways and Means, Senate File No. 545.

A BILL for an Act to Repeal Sub-division Two (2) of Section Thirteen Hundred Three (1303), Supplement to the Code, 1907, as Amended by Chapter Seventy-nine (79) of the Laws of the Thirty-third General Assembly, and Enacting a Substitute Therefor, Relating to Levies by the Board of Supervisors for Ordinary County Revenue.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That sub-division two (2), section thirteen hundred three (1303), Supplement to the Code, 1907, as amended by chapter seventy-nine (79) of the laws of the Thirty-third General Assembly be and the same is hereby repealed and the following enacted as a substitute therefor:

"For ordinary county revenue not more than six mills on a dollar, with a poll tax of fifty cents on each male resident over twenty-one years of age."

Read first and second time and placed on the calendar.

REPORTS OF COMMITTEES.

Senator Ames, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred House File No. 47, a bill for an act to authorize the incorporation in each county of the state of an association for the advancement and improvement of agriculture, animal husbandry and horticulture, to define the powers and rights of such associations and its members, to provide for the submission to the voters of the question of levying a tax in aid of the objects

of such association and to provide for the termination of said tax, beg leave to report they have had the same under consideration and recommend the same as amended by the House do pass.

A. L. AMES,
Chairman.

Ordered passed on file.

Senator Allen, 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. 633, a bill for an act to amend section twentyfour (24), chapter sixty-eight (68) of the acts of the Thirty-fourth General Assembly, relating to the payment of collaterlal inheritance tax, beg leave to report they have had the same under consideration and recommend the same do pass.

J. H. ALLEN,
Chairman.

Ordered passed on file.

Senator Hilsinger, from the committee on Board of Control and its Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions to whom was referred House File No. 592, a bill for an act to repeal the law as it appears in section 4913-a of the Supplement to the Code, 1907, and to enact a substitute therefor in regard to bringing into certain state institutions and other places where inmates may lawfully be, drugs or liquors, or weapons, explosives or other articles for use in making or attempting an escape, beg leave to report they have had the same under consideration and recommend the same do pass.

G. E. HILSINGER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Board of Control and Its Institutions to whom was referred House File No. 228, a bill for an act to authorize heads of state institutions under the board of control of state institutions to deposit in bank money in their hands belonging to inmates and to provide for the use of the income from such deposits, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

G. E. HILSINGER,
Chairman.

Adopted.

So the bill was indefinitely postponed.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate File No. 38, a bill for an act to provide for the compilation of the laws of the Thirty-third, Thirty-fourth and Thirty-fifth General Assemblies and the laws as they appear in the Supplement to the Code, 1907; to annotate same and the Code and rules of the supreme court, to and including May term, 1913, of the supreme court and to publish the said compilation and annotations as a "Supplement to the Code, 1913," and to provide for the appointing of a supervising committee, the election of an editor of such Supplement to the Code and to establish a salary for such editor, and making an appropriation therefor, and repealing section twenty-four (24) of chapter twenty (20) of the acts of the Twenty-sixth General Assembly, extra session, as same appears on page five (5) of the prefix to the Code.

Also:

Substitute for Senate File No. 16, a bill for an act to repeal section three thousand three hundred seventy-nine (3379) of the Code and to enact a substitute therefor, relating to the share of surviving spouse.

Also:

Senate File No. 80, a bill for an act to pension the survivors of the Spirit Lake relief expidition of 1857, providing the amount of such pensions, and method of payment, and making an appropriation therefor.

Also:

Senate File No. 27, a bill for an act to require all railroad companies owning railroads in the state of Iowa, of less than four (4) feet, eight and one-half (8½) inches gauge, to adopt such gauge within such reasonable time as may be fixed by the railroad commissioners.

Also:

Senate File No. 378, a bill for an act to amend section twenty-one hundred and thirteen (2113) of the Supplement to the Code, 1907, as amended by chapter one hundred twenty-seven (127) of the acts of the Thirty-third General Assembly, relating to the powers of the board of railroad commissioners.

Also:

Senate File No. 358, a bill for an act legalizing a resolution passed by the council of the city of Atlantic on February twenty-seventh (27th) nineteen hundred thirteen (1913) transferring the sum of eighteen hundred dollars ($1,800.00) from the sewer fund of said city to the general fund of said city of Atlantic, Iowa, and legalizing such transfer.

Also:

Substitute for Senate File No. 44, a bill for an act to repeal the law as it appears in sections five thousand six hundred sixty-nine-a (5669-a), five thousand seven hundred sixteen (5716) and five thousand seven hundred eighteen-a-twenty-eight (5718-a28) of the Supplement to the Code, 1907, and in sections five thousand seven hundred seventeen (5717) and five thousand seven hundred eighteen (5718) of the Code, and to enact substitutes therefor, providing for the compensation and allowances of officers and employees of the reformatory at Anamosa and the penitentiary at Fort Madison.

Also:

Senate File No. 304, a bill for an act for the relief of the grantees of David E. Fry, and for the purpose of having patents issued in the names of W. F. Pomeroy and Arthur Dilley, for certain tracts of land.

Also:

Senate File No. 87, a bill for an act amending the law as it appears in section 2578 of the Supplement to the Code, 1907, relating to revocation of physicians' certificates and defining unprofessional conduct.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Senate File No. 38, a bill for an act to provide for the compilation of the laws of the Thirty-third, Thirty-fourth and Thirty-fifth General Assemblies and the laws as they appear in the Supplement to the Code, 1907; to annotate same and the Code and rules of the supreme court, to and including May term, 1913, of the supreme court and to publish the said compilation and annotations as a "Supplement to the Code, 1913," and

to provide for the appointing of a supervising committee, the election of an editor of such Supplement to the Code and to establish a salary for such editor, and making an appropriation therefor, and repealing section twenty-four (24) of chapter twenty (20) of the acts of the Twenty-sixth General Assembly, extra session, as same appears on page five (5) of the prefix to the Code.

Also:

Substitute for Senate File No. 16, a bill for an act to repeal section three thousand three hundred seventy-nine (3379) of the Code and to enact a substitute therefor, relating to the share of surviving spouse.

Also:

Senate File No. 80, a bill for an act to pension the survivors of the Spirit Lake relief expidition of 1857, providing the amount of such pensions, and method of payment, and making an appropriation therefor.

Also:

Substitute for Senate File No. 44, a bill for an act to repeal the law as it appears in sections five thousand six hundred sixty-nine-a (5669-a), five thousand seven hundred sixteen (5716) and five thousand seven hundred eighteen-a-twenty-eight (5718-a28) of the Supplement to the Code, 1907, and in sections five thousand seven hundred seventeen (5717) and five thousand seven hundred eighteen (5718) of the Code, and to enact substitutes therefor, providing for the compensation and allowances of officers and employees of the reformatory at Anamosa and the penitentiary at Fort Madison.

Also:

Senate File No. 304, a bill for an act for the relief of the grantees of David E. Fry, and for the purpose of having patents issued in the names of W. F. Pomeroy and Arthur Dilley, for certain tracts of land.

Also:

Senate File No. 87, a bill for an act amending the law as it appears in section 2578 of the Supplement to the Code, 1907, relating to revocation of physicians' certificates and defining unprofessional conduct.

Also:

Senate File No. 27, a bill for an act to require all railroad companies owning railroads in the state of Iowa, of less than four (4) feet, eight and one-half (8½) inches gauge, to adopt such gauge within such reasonable time as may be fixed by the railroad commissioners.

Also:

Senate File No. 378, a bill for an act to amend section twenty-one hundred and thirteen (2113) of the Supplement to the Code, 1907, as amended by chapter one hundred twenty-seven (127) of the acts of the Thirty-third General Assembly, relating to the powers of the board of railroad commissioners.

Also:

Senate File No. 358, a bill for an act legalizing a resolution passed by the council of the city of Atlantic on February twenty-seventh (27th) nineteen hundred thirteen (1913) transferring the sum of eighteen hundred dollars ($1,800.00). from the sewer fund of said city to the general fund of said city of Atlantic, Iowa, and legalizing such transfer.

Also:

House File No. 175, a bill for an act to amend section 2732 of chapter 12, title XIII of the Supplement to the Code, 1907, and section 2772 of the Code regulating the conduct of pupils of the public schools and forbidding the use of tobacco.

Also:

House File No. 226, a bill for an act to amend section sixteen hundred and sixty (1660) of the Supplement to the Code, 1907, to aid county agricultural societies.

Also:

House File No. 303, a bill for an act to require all persons, partnerships, companies or corporations owning or operating a railway in this state, to equip the cab of all locomotive engines with frost glass in front of the seat of the engineer and fireman of said engine, and providing a penalty for the violation thereof.

Also:

House File No. 418, a bill for an act to repeal section section ten (10) of chapter twenty-six (26) acts of the Thirty-third (33rd) General Assembly, and to enact a substitute therefor, relating to the maintenance of county hospitals.

Also:

House File No. 440, a bill for an act to amend the law as it appears in section three thousand four hundred and forty-seven (3447) of the Code, and to fix the time within which certain actions for the recovery of real estate may be brought.

Also:

House File No. 498, a bill for an act authorizing and directing the governor and secretary of state to execute a quit claim deed conveying to J. B. Keeler all of the right, title and interest of the state of Iowa in or to lots four (4), five (5) and six (6) of section thirteen (13), township ninety-nine (99), north, range twentythree (23), west of the fifth P. M.

Also:

House File No. 513, a bill for an act to prohibit the importation of diseased bees.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

REPORTS OF COMMITTEES.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 30, a bill for an act to amend section twenty-seven hundred twenty-seven-c (2727-c) of the Supplement to the Code, 1907, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home at Davenport; beg leave to report they have had the same under consideration and recommend the the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate File No. 389, a bill for an act authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employees, providing the powers, duties and compensation of such board, and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making appropriation therefor; beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 191, a bill for an act authorizing the commission of pharmacy of the state of Iowa to pay to L. Rasmussen the sum of $100.00 paid by him for a license as an itinerant vendor of drugs; beg leave to report they have had the same under consideration and reccommend the same be indifinitely postponed.

JOS. MATTES,
Chairman.

Senator Mattes moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Balkema, from the committee on Roads and Highways, submitted the following report:

MR. PRESIDENT—Your committee on Roads and Highways to whom was referred House File No. 490, a bill for an act to regulate the passing of automobiles or other vehicles by another traveling in the same direction; beg leave to report they have had the same under consideration and recommend the same do pass.

N. BALKEMA,
Chairman.

Ordered passed on file.

Senator Francis, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 457, a bill for an act to amend section 4661 of the Code, relating to witness fees; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 313, a bill for an act to amend section 261 of the Supplement to the Code of Iowa, 1907, relating to the removal of causes from the superior courts of the state of Iowa; beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 292, a bill for an act to amend section 3707 of the Code, 1897, relating to instructions to juries and exceptions therefrom; beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 529, a bill for an act to enable Mrs. C. C. Platner and Mrs. George Wilson to share in the policemen's pension fund of the city of Council Bluffs, Iowa; beg leave to report they have had the same under consideration and reccomned the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 18, a bill for an act to repeal section 3181 of the Supplement to the Code, relative to divorce, annulling marriages, and alimony; beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 112, a bill for an act to authorize loan and trust companies and state savings banks to act as receiver or trustee of any trust, and as administrator, executor or guardian or in any other fiduciary capacity, and to authorize loan and trust companies to transact the banking business, and to amend section 1611 of the Code, relating to corporations; beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 23, a bill for an act to provide for the appointment of clerk of the supreme court and reporter of the supreme court, to fix the term of office of such officials, and to repeal section 1067 of the Code; beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 278, a bill for an act to amend the law as it appears in section 2428 of the Code, relating to the duties of peace officers; beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 613, a bill for an act to amend section 4852-d of the Supplement to the Code, 1907, relating to larceny of poultry; beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 370, a bill for an act to amend section 4759 of the Code, relating to the crime of abortion; beg leave to report they have had the same under consideration and recommend the same be indifinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 158, a bill for an act to repeal section 3705 of the Code and to substitute in lieu thereof relative to the instructions of the district court; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 347, a bill for an act to amend section 3534 of the Code, relating to service by publication when an affidavit is filed that personal service cannot be made on defendant within this state; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 394, a bill for an act to repeal section 3, chapter 117, acts of the Thirty-third General Assembly and to enact a substitute therefor relating to the construction of levees, ditches or drains by owners of lands for agricultural, sanitary or mining purposes across the lands fo others, and providing for the condemnation of such lands as may be necessary for the construction and maintenance of such levees, ditches or drains; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 516, a bill for an act to legalize a certain election held January 13th, 1913, in the town of Miles, Jackson county, Iowa; beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 484, a bill for an act to amend chapter 121 of the laws of the Thirty-third General Assembly relating to the payment of ad-

ditional help for county auditors in drainage matters; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 337, a bill for an act to amend the law as it appears in section one thousand nine hundred eighty-nine-a-eleven (1989-a-11) and section one thousand nine hundred eighty-nine-a-forty-nine (1989-a-49) of the Supplement to the Code, 1907, by repealing section one thousand nine hundred eighty-nine-a-11 (1989-a-11) and section 1989-a-49 as amended and enacting in lieu thereof the following, beg leave to report that they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate Joint Resolution No. 9, a bill for an act appointing a commission to ascertain and report facts relating to the existing boundary between the states of Iowa and Nebraska, and providing for the payment of the expenses of said commission; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 520, a bill for an act to legalize the resolutions ordinances and amendments to ordinances and resolutions passed and adopted by the acts of the town council of the town of Buffalo, Scott county, Iowa, since the passage of an act relating to the organization of cities and towns, and known as chapter 26 of the acts of the thirty-second General Assembly of the state of Iowa; beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 243, a bill for an act to amend the law as it appears in section 2900-a21; section 2900-a22; section 2900-a24, Supplement to the Code, 1907; and to repeal section 2900-a27, Supplement to the Code, 1907, relating to meandered lakes and lake beds; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 438, a bill for an act to amend section 2792 of the Code, 1897, relating to the restoration of territory to the school district from which it had been taken; beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 310, a bill for an act to authorize the appointment of special agents to aid in the detection, identification, capture and conviction of criminals, delinquent and defectives, and to require the cooperation and assistance of all sheriffs, police and peace officers and all other officers charged with the care, supervision and jurisdiction over criminals, deliquents or defectives; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 167, 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 1611 of the Code relting to corporations; beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 411, a bill for an act to repeal section 3445 of the Code, and to enact a substitute therefor, relative to the bringing of actions by legal representatives or successors of deceased persons, and providing for the survival to the estate of the right to recover damages for physical

or mental pain and suffering, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 224, a bill for an act to amend section 1989-a-41 of the Supplement to the Code, 1907, and amendments thereto relative to the compensation to be paid appraisers of damages and commissioners of drainage districts, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 657, a bill for an act to legalize decrees obtained prior to January 1, 1911, where the proof of the publication of an original notice was made by the auditor of the newspaper in which the original notice was published, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 342, a bill for an act permitting the payment of special assessments for drainage purposes by warrants drawn upon the drainage funds, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 425, a bill for an act to amend section 4600-a of the Supplement to the Code, 1907, as amended by chapter 208 of the acts of the Thirty-third General Assembly, relative to fees of justices of the peace and constables and the time of payment of same, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 493, a bill for an act to amend section 4969 of the Supplement to the Code, 1907, relating to cruelty to animals, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 460, a bill for an act to create the county of Larrabee and provide for the government thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 234, a bill for an act to regulate the business of loaning money or credit by persons, firms and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, real estate brokers and pawn brokers, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 481, a bill for an act to legalize the act of the electors of the city of Osceola, Iowa, in voting for the issuance of bonds in aid of improvement and extension of the city water works, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend section 1 by adding thereto: "This act shall not affect pending litigation." Also by amending section 2 by striking out the words "Iowa State Register" and inserting in lieu thereof the words "Register and Leader," and by adding to said section the words, "without expense to the state"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 513, a bill for an act to amend the law as it appears in section 2578-b of the Supplement to the Code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 591, a bill for an act specifying qualifications for county attorneys additional to chapter 9, title 3, of the Code, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 255, a bill for an act to amend section 2773 of the Code, relating to legal holidays in common schools, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 296, a bill for an act relating to the granting of new trials, setting aside of verdicts and reversal of cases upon appeal to the supreme court and defining proceedure, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 487, a bill for an act to amend section 3377 of the Supplement to the Code, 1907, relating to the election between the distributive share and take under the will by surviving spouse and setting off such distributive share, beg leave to report they have had the same under consideration and recommend the same for indefinite postponement.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 115, a bill for an act to amend section 3534 of the Code, relating to serving notice in the matter of quieting title to real estate, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 399, a bill for an act to amend section 1501 of title 8, chapter 1 of the Code relating to the exemption of petitioners from the payment of damages for the establishment of a public highway upon a section line, re-location or vacation thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 417, a bill for an act amending chapter 157 of the acts of the Thirty-fourth General Assembly, relative to legalizing certain conveyances by foreign administrators and executors; regulating the proof of titles to real property and legalizing certain instruments and proceedings as against defects arising prior to 1895, etc., beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend section 2 by inserting the figures "1900" in lieu of the figures "1895." Also the same change in section 4, line 2.

Also the same change in line 2 of section 6.

In section 8 change the figures "1903" to "1900"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 595, a bill for an act to repeal section 3093 of the Code, and to enact a substitute therefor relating to sub-contractors' mechanics' liens and the liability of the owner of a building or structure to the principal contractor and the sub-contractors, beg deave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate File No. 368, a bill for an act to require the registration of charitable organization soliciting public aid and providing penalty for the violations thereof, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend section one by inserting after the word "located" at the end of said section the following: "provided this act shall not apply to public contributions in churches, nor to funds solicited by any church or school or recognized society or branch of any church or school in this state."

Amend section two by striking out all of said section after the word "not" in line five, and inserting in lieu thereof the following: "more than one hundred dollars $100.00) or by imprisonment in the county jail not to exceed thirty days"; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 537, a bill for an act to amend chapter 227 of the acts of the Thirty-third General Assembly, amendatory of section 5289 of the Code, relating to the sufficiency of indictments and the waiver of objections thereto, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 160, a bill for an act to repeal sections 193 and 194 of the Code and to enact a substitute therefor providing for an increase in the number of judges in the supreme court of Iowa and providing for a division of said court into sections, and to amend section 1066 of the Supplement to the Code, 1907, in reference to the selection of the chief justices of said court, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out the word "approval" in the second line of section 2 and inserting in lieu thereof the words "taking effect." Also by striking out the letter "s" in the word "appointees" in line 10 and by striking out the word "separately" in line 10 of said section 2, and by striking out the word "any" in line 12 and inserting in lieu thereof the word "such." Also that section 2 be amended by inserting between the word "qualified" and the period in line 15, "which successor shall, at the general election in the year 1914 and each six years thereafter, be elected for the full term of six years." And by striking out all of the remainder of said section 2; and when so amended the bill do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 529, a bill for an act to amend section 4606 of the Supplement to the Code, 1907, relative to husband and wife as witnesses, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

L. E. FRANCIS,
Chairman.

Senator Francis moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House File No. 658, a bill for an act to legalize the platting of an addition to the town of Kensett, Iowa, executed by Mrs. Margaret Lukason, deceased, dated March 21, 1898, and filed for record in the office of the recorder of Worth county, Iowa, April 9, 1898, beg leave to report they have had the same under consideration and recommend the same do pass.

L. E. FRANCIS,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By committee on Judiciary, Senate File No. 546.

A Bill for an Act to enable benefitted property to aid in the construction of trolley or electric railroads of the electrification or steam railroads, being additional to chapter five (5) of title ten (10) of the code of 1897, as amended.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. Taxes not exceeding five per cent on the assessed value of the real property of any district or territory contiguous to any projected trolley or electric railroad, or to any steam railroad which it is proposed to electrify, may be levied to aid in the construction of such projected troley or electric rialroad, or in the electrification of such steam railroad, within the State, as hereinafter provided.

Sec. 2. When it is proposed to construct any trolley or electric railroad, or to electrify any steam railroad, and a petition definitely describing any district or territory contiguous to the line of such railroad or proposed railroad, signed by a majority of the resident freehold tax payers, of such district or territory, asking that the question of aiding in the construction or electrification of such railroad or proposed railroad within such district or territory, be submitted to the voters thereof, is presented to the Board of Supervisors of the county in which such district or territory is situated, it shall be the duty of such Board of Supervisors immediately to give notice of a special election by publication in some newspaper published in such district or territory, if any there be, and if not, then in some newspaper published in the county, and also by posting copies of said notices in five public places in such district or territory at least ten days before such election, which shall state the time and place of holding the same, the name of the company and the line of the road proposed to be aided, the rate per cent of the tax to be levied; whether one half thereof shall he collected the first year and one half the following year, or whether the whole is to be collected in one year, the amount of work required to be done, and when and where the same shall be done, to what point said railroad shall be fully completed, and any other conditions which shall be performed before such tax or any part thereof shall become due, and in no case shall such tax become due until such railroad is fuly completed according to the conditions of said notice. The board of supervisors shall cause to be prepared the form of the proposition to be submitted, and the proposition shall be printed and placed upon the ballots, and the board of supervisors shall appoint the judges and clerks of election, and the election shall be conducted in the same manner as provided with respect to like or similar propositions in the chapter on elections, and the judges of election shall canvass the vote and make return to the county auditor, and if a majority of the votes polled be for the adoption of the proposition, then the county auditor shall forthwith certify to the result thereof, rate per cent of the tax voted, he year or years during which he same is to be collected, the name of the company to which voted, and the time, terms and conditions upon which the same when collected is to be paid under the conditions and stipulations in said notice, together with an exact copy of the notice under which the election was held, which the county auditor shall at once cause to be recorded in the office of the recorder of deeds. The expense thereof and of publishing the notice and all the expenses of the election shall be paid by the railway company to which it is proposed to vote the tax. When such certificate has been made and recorded the board of supervisors of the county shall at the time of levying the ordinary tax next following, levy such taxes as are voted under the provisions hereof as shown by said certificate, and cause the same to be placed on the tax lists of the proper township town or city, indicating in their order thereupon when and in what proposition the same are to be collected, and upon what conditions the same are to be paid to the railway company, a certified copy of which shall accompany the tax

list. The taxes shall be collected at the time or times specified in the order and in the same manner and subject to the same laws after they are collectible as other taxes, or as may be stated in the petition and notice for the election, except as otherwise provided; provided however, that such tax shall only be levied upon the real property within such district or territory. The stipulations and conditions in the notice prescribed in this section must conform to those set forth in the petition asking for the election, and the aggregate amount of taxes voted in any such district or territory shall not exceed five per cent of the assessed value of the real property therein.

Sec. 3. The provisions of sections 2087, 2090 and 2091 of the supplement to the code 1907, are hereby made applicable to all taxes levied under the provisions of this act.

Sec. 4. The real property upon which such tax shall have been levied shall not be subject to any other railroad aid tax for a period of ten years after such levy.

Sec. 5. This act being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Register & Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Read first and second time and placed on the calendar.

By committee on Judiciary, Senate File No. 547.

A Bill for an Act Amending the Law as it Appears in Section Twenty-Nine Hundred-a-Twenty-Three (2900-a-23) of the Supplement to The Code, 1907, Authorizing the Executive Council to Lease Lands Belonging to the State of Iowa.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in section twenty-nine hundred-a-twenty-three (2900-a-23) of the supplement to the code, 1907) is amended by adding to the end of said section the following words:

Any land owned by the state of Iowa within the high water lines of any non-navigable stream or lake and also any lands within the bed of any lake bed authorized to be drained under the provisions of this chapter may be leased by the executive council in its discretion, until otherwise disposed of, the rental to be paid into the general funds of the state.

Sec. 2. This act being considered of immediate importance shall take effect and be in full force from and after its publication in the Register & Leader and the Des Moines Capital, papers published at Des Moines, Iowa.

Read first and second time and placed on the calendar.

By committee on Judiciary, Senate File No. 548.

A Bill for an Act to Legalize the Issuance of $18,000.00 Sewer Outlet and Disposal or Purifying Plant Bonds of the City of Valley Junction, Issued on the 3rd Day of February, A. D. 1913, and Secured by Special Taxes Levied and Pledged to the Payment of Said Bonds and Interest.

Whereas, the city of Valley Junction, Iowa, by it's council, did, on the 3d day of February, A. D. 1913, pass a certain resolution wherein it was ordered that there be issued $18,000.00 worth of negotiable coupon sewer outlet and disposal or purifying plant bonds of said city and

Whereas, said bonds were to be used in paying for the sewer outlet and disposal or purifying plant constructed by the city of Valley Junction pursuant to proceedings had prior thereto, and

Whereas, said city council of said city has levied a special tax of three (3) mills on the dollar on all taxable property within the corporate limits of the city of Valley Junction, as provided by chapter 54 of the acts of the 33d General Assembly, said levy to cover a period of ten (10) years, and has also levied a city sewer tax of two (2) mills on the dollar on all taxable property within the corporate limits of the city of Valley Junction, said levy to extend over a period of ten (10) years, both of which levies are irrevocably pledged to the payment of said bonds and interest as the same falls due, and

Whereas, doubts have arisen as to the right of a city to pledge said taxes for a period of ten (10) years, and.

Whereas, the contractors employed to construct said sewer outlet and disposal plant, have constructed the same under the belief that said city could legally pledge said special taxes for a period of ten (10) years, and issue bonds in anticipation of the collection thereof, therefore

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the acts of the city council of the city of Valley Junction, Iowa, in levying a three (3) mill sewer outlet and disposal plant tax and making said levy to extend over a period of ten (10) years; and the acts of the said city council in levying a city sewer tax of two (2) mills on the dollar and making said levy extend over a period of ten (10) years, and pledging both of said levies to the amortization of said sewere outlet and disposal plant bonds, be, and the same are fully validated and legalized, and the bonds issued pursuant to the proceedings of said city council, be, and they are hereby legalized as fully and completely as though they were authorized by law, and as though the law had in all things been fully and technically complied

with in every respect, and said bonds shall be the binding and valid obligation of the city of Valley Junction, Iowa. This act shall in no wise affect pending litigation.

Sec. 2. In effect. This act, being deemed of immediate importance, shall take effect from and after it's publication in the "Valley Express," a newspaper published in Valley Junction, Iowa, and the "Register & Leader," a newspaper published in Des Moines, Iowa, without expense to the state.

Read first and second time and placed on calendar.

REPORTS OF COMMITTEE.

Senator Sullivan, 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. 554, a bill for an act to amend the law as it appears in section six hundred sixty-nine (669) of the Supplement to the Code, 1907, relating to the compensation of councilmen when acting as members of the board of review; beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred House File No. 606, a bill for an act to amend section eight hundred ninety-four (894) of the Supplement to the Code, 1907, relating to the levy of taxes in cities under the commission form of government, beg leave to report that they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred House File No. 90, a bill for an act to repeal section five (5) of chapter sixty-one (61) of the acts of the Thirty-third General Assembly, as amended by chapter (50) fifty of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor relating to pensions for disabled and retired firemen; beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred House File No. 474, a bill for an act to amend section six hundred and ninety-four-a (694-a) of the Supplement to the Code, 1907, relating to membership fees and dues in League of Iowa Municipalties; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred House File No. 334, a bill for an act to provide for the planting, care and protection of ornamental and shade trees on all residence streets of cities of the first class and special charter cities; and to provide penalties for violation thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred House File No. 673, a bill for an act to prohibit public officers or deputies from divulging any part of the contents of sealed bids and to fix and declare the liquidated damages inuring on favor of municipal corporations by reason of the violation of such prohibition; beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend by inserting between the words "the" and "municipal" in the tenth (10th) line of section one (1) the words "state, county, city, town school district or other", and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred House File No. 131, a bill for an act to amend the law as it appears in section seven hundred twenty-four (724) Supplement to the Code, 1907, and in section eight hundred ninety-four (894), Supplement to the Code, 1907, relating to the powers of cities and towns; beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend by providing that the clause sought to be inserted be inserted at the close of said section, instead of following the word "plants" in the second (2nd) line thereof, "and shall have the power" to be stricken from said proposed amendment, and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred House File No. 212, a bill for an act to amend the law as it appears in section seven hundred twenty (720) Supplement to the Code, 1907, as amended by chapter forty-four (44) acts of the Thirty-third General Assembly, and chapter thirty-four (34) acts of the Thirty-fourth General Assembly and to authorize cities and towns to enter into contracts to purchase heat, gas, and electric current, and to sell the same, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred House File No. 290, a bill for an act to amend section six hundred ninety-six (696) of the Supplement to the Code, 1907, relating to the prevention of nuisances and the regulation of slaughter houses and other such places by cities and towns; beg leave to report they have had the same under consideration and recommend the same be indefinetly postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred Senate File No. 324, a bill for an act to amend the law as it appears in chapter fourteen-c (14-c) of title five (V) of the 1907 Supplement to the Code, as amended by chapter sixty-four (64) of the acts of the Thirty-third General Assembly and chapters fifty-two (52) and fifty-five (55) of the acts of the Thirty-fourth General Assembly re nitlag to the government of certain cities and conferring additional powers upon such cities; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred House File No. 646, a bill for an act granting to cities of all classes and towns, power to license and regulate plumbers to determine the qualifications and provide for the examination thereof; to prescribe rules and regulations for the installation of plumbing and the inspection thereof and to provide for the removal of plumbing installed in violation

of the manner prescribed and to impose penalties for a violation of or dinances enacted under this act and to amend section seven hundred (700) of the Supplement to the Code, 1907; beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred Senate File No. 335, a bill for an act to repeal the law as it appears in chapter two hundred twenty (220) acts of the Thirty-third General Assembly, and to amend the law as it appears in section forty nine hundred ninety-nine-a (4999-a) Supplement to the Code, relating to protection against fire and providing means for escape; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN B. SULLIVAN,
Chairman.

Senator Sullivan moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred Senate File No. 360, a bill for an act to provide for the improvement of the water and harbor fronts of incorporated or chartered cities and towns situated on navigable waterways within or bordering on the state of Iowa; for the acquirement, construction, maintenance and operation of public docks, and for the acquirement by condemnation or otherwise of lands or rights or interest therein for same; to create a department to be administered by a bond to carry on such work and to regulate and control the construction, maintenance and operation of belt railways, wharves, docks, slips, quay, walls, piers basins other water front lands or rights or interests therein, in said cities or towns; to authorize the issuance and sale of bonds and to levy a tax for carrying out the above purposes, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend by striking out all of section one (1) and inserting in lieu thereof the following:

"Section 1. The city council or board of commissioners in any incorporated town or city, including cities under commission plan and those under special charter now or hereafter situated on any natural or atificial navigable waterway within or bordering upon the state of Iowa may when in their judgment expedient create a department known as the "Department of Public Docks", providing that before said commission may go into operation, the question shall be submitted to the qualified electors of said city or town at a regular or special election called for that purpose, and providing further, that a majority of those voting at said election shall vote in favor of the creation of such Department of Public Docks.

Also amend by adding to section five (5) the following: "That all state regulations for the control and operation of railroads, common carriers and public utilities shall apply to and have full force and effect in regard to all powers, duties and actions of the department of public docks and the same shall be subject to and under the control of the state board of railroad commissioners or the public utility commission now or hereafter established by law, and when so amended the bill do pass.

JOHN B. SULLIVAN,
Chairman.

Ordered passed on file.

Senator Jewell, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate File No. 491, a bill for an act making special provision for the enforcement of sanitary conditions by the state board of health upon complaint made by five (5) or more citizens, beg leave to report they have had the same under consideration and recommend the same do pass.

P. M. JEWELL,
Chairman.

Ordered passed on file.

Senator Larrabee, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred House File No. 484, a bill for an act to amend section two thousand one hundred and sixteen (2116) of the Supplement to the Code, 1907, as amended by chapter one hundred twenty-eight (128) acts of the Thirty-third General Assembly, and to define what is reasonable passenger service on certain lines of railroads, beg leave to report they have had the same under consideration and recommend the same do pass.

FREDERIC LARRABEE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 362, a bill for an act to authorize the board of supervisors of counties to compel persons or corporations owning or operating railroads, to construct viaducts over railroads at crossings of highways and to construct tunnels under railroads for the passage of highways, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

FREDERIC LARRABEE,
Chairman.

Senator Larrabee moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 381, a bill for an act to repeal section five (5) of chapter ninety-four (94), of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor, relating to the duty of commerce counsel, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend section 1 by striking out the period at the end of said section, and substituting a semicolon therefor, and adding thereto the following: "provided that the duty here enjoined upon the commerce counsel shall not be construed to in anywise limit or abridge the authority or jurisdiction of the attorney general"; and when so amended the bill do pass.

FREDERIC LARRABEE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Railroads, to whom was referred House File No. 298, a bill for an act relating to elevators and warehouses on railroad land, and prescribing methods and conditions of procuring and holding sites therefor, and liability for loss or destruction thereof, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Strike from the bill as adopted by the House, all of section 1 and substitute in lieu thereof the following as section 1.

Section 1. That whenever a disagreement arises between the owner of an elevator or grain warehouse, coal shed, ice house, buying station, flour mill, or any other building used for receiving, storing or manufacturing any article of commerce transported or to be transported, situated on a railroad right of way, or on land owned or concontrolled by a railroad company, and such railroad company, as to the terms and conditions on which the same is to be continued thereon, or removed therefrom, or whenever application is made by any person, firm or corporation for the right to a site for such elevator or grain warehouse, coal shed, ice house, buying station, flour mill, or any other building used for receiving, storing or manufacturing any article of commerce transported or to be transported, and such railway company and said applicant cannot agree as to whether said elevator or grain warehouse shall be so placed on said right of way or on property owned or controlled by the railroad company, or as to the character of the buildings to be erected and placed thereon, or the place where the same is to be so erected and maintained, or as to the terms and conditions under which the same may be so placed or operated, then, and in every such event on written application to the board of railroad commissioners by such railroad company, person, firm or corporation the said board of railroad commissioners shall have authority, and it is hereby made their duty, as speedily as possible after the filing of such application, to hear and determine such controversy, and make such order in reference thereto as shall be just and right between the parties under all the facts in the case, which order shall be enforced as other orders in said commission; and when so amended the bill do pass.

FREDERIC LARRABEE,
Chairman.

Ordered passed on file.

Senator Mattes, 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 indemnify H. C. Jackson for personal injury sustained by him while employed as head farmer at the state hospital at Mt. Pleasant, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate File No. 2, a bill to provide for the representation of the

state of Iowa at the Panama-Pacific International exposition to be held at San Francisco, California, celebrating the opening and commercial use of the Panama canal and making an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOS. MATTES,
Chairman.

Ordered passed on file.

Senator Larrabee, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate File No. 395, a bill for an act to prohibit by penalty the transportation by common carrier or the offering for transportation to a common carrier any dangerous explosive marked as other than an explosive, or unless marked with the true name of the explosive, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Strike out all of section 1, and substitute in lieu thereof the following as section 1:

"Sec. 1. If any person shall transport in any public conveyance or by common carrier or shall offer for shipment to any common carrier any of the following dangerous explosives, viz.: nitroglycerine, dynamite, fulminating powder of giant powder, in any package or receptacle marked to indicate that the contents are other than such explosive, or unless the true name of such explosive is marked upon the outside of the package or receptacle containing the same, he shall be punished by a fine not exceeding five hundred ($500.00) dollars or imprisonment in the county jail for not more than one year, or by both such fine and imprisonment at the discretion of the court"; and when so amended the bill do pass.

FREDERIC LARRABEE,
Chairman.

Ordered passed on file.

Senator Savage, from the committee on Public Schools, submitted the following report:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred House File No. 93, a bill for an act to repeal chapter one hundred forty-six (146) of the acts of the Thirty-fourth General Assembly, relating to high school tuition, and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend by striking out the paragraph beginning in line four (4) of section one (1) and inserting in lieu thereof the following:

"Any person of school age who is a resident of a school corporation which does not offer a four year high school course and who has completed the course as approved by the department of public instruction for such corporation shall be permitted to attend any public high school or county high school in the state approved in like manner, that will receive him"; and when so amended the bill do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 511, a bill for an act to amend section two thousand seven hundred eighty-one (2781) of the Code relative to publication of receipts and disbursements of school funds, beg leave to report they have had the same under consideration and recommend the same do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred House File No. 377, a bill for an act to prohibit dances in the public high and grade schools or under the auspices of such schools or any organization or society thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was re-Senate File No. 55, a bill for an act to repeal chapter one hundred forty-six (146) of the acts of the Thirty-fourth General Assembly, relating to high school tuition, and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. C. SAVAGE,
Chairman.

Senator Savage moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 454, a bill for an act to amend section one (1) of chapter one hundred forty-six (146) of the acts and laws of the Thirty-fourth General Assembly and relating to the permission of pupils to attend any high schools outside of the home district, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. C. SAVAGE,
Chairman.

Senator Savage moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 113, a bill for an act to amend section one (1) chapter 146 of the acts of the Thirty-fourth General Assembly, relating to the payment of tuition of pupils attending high schools located in other districts, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. C. SAVAGE,
Chairman.

Senator Savage moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred House File No. 666, a bill for an act to amend section twenty-seven hundred sixty-one (2761) of the Code, relating to the duties of secretaries of school boards, beg leave to report they have had the same under consideration and recommend the same do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Schools, to whom was referred Senate File No. 530, a bill for an act to amend the law relating to the selection of school text books, as it appears in sections twenty-eight hundred thirty-one (2831), twenty-eight hundred thirty-two (2832), Supplement to the Code, 1907, and twenty-eight hundred thirty-four (2834) of the Code, beg leave to report they have had the same under consideration and recommend the same do pass.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

Senator Thomas, 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. 186, a bill for an act to repeal section 479 of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to the compensation of county auditors, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

A BILL for an Act to Repeal Section Four Hundred Seventy-nine (479), Supplement to the Code, 1907, and to Enact a Substitute Therefor, Relating to the Compensation of County Auditors.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section four hundred seventy-nine (479, Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

County auditors shall receive an annual compensation for all services as follows:

In counties having a population of less than fifteen thousand (15,000), fourteen hundred dollars ($1,400.00).

In counties having a population of fifteen thousand (15,000) and less than twenty thousand (20,000), fifteen hundred dollars ($1,500.00).

In counties having a population of twenty thousand (20,000) and less than twenty-five thousand (25,000), sixteen hundred dollars ($1,600.00).

In counties having a population of twenty-five thousand (25,000) and less than thirty thousand (30,000), seventeen hundred dollars ($1,700.00).

In counties having a population of thirty thousand (30,000) and less than thirty-five thousand (35,000), eighteen hundred dollars ($1,800.00).

In counties having a population of thirty-five thousand (35,000) and less than forty thousand (40,000), two thousand dollars ($2,000.00).

In counties having a population of forty thousand (40,000) and less than fifty thousand (50,000), twenty-two hundred dollars ($2,200.00).

In counties having a population of fifty thousand (50,000) and less than sixty thousand (60,000), twenty-five hundred dollars ($2,500.00).

In counties having a population of sixty thousand (60,000) and less than seventy thousand (70,000), twenty-seven hundred fifty dollars ($2,-750.00).

In counties having a population of seventy thousand (70,000) or over, three thousand dollars ($3,00.00).

In counties having a population of more than twenty thousand, the board of supervisors may allow such additional compensation to the deputy or clerks as they may deem reasonable.

C. H. THOMAS,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Darrah, from the committee on Elections, sumitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred House File No. 40, a bill for an act making it unlawful for candidate for any office to promise support or influence in behalf of another for any position, place or office in consideration of any other person supporting him, and providing a penalty therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

Substitute for a Bill for an Act Making it Unlawful for any Candidate for any Office to Promise Support or Influence in Behalf of Another for any Position, Place or Office in consideration of any Other Person Supporting Him, and Providing a Penalty Therefor

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. It shall be unlawful for any candidate for any office to be voted for at any primary, municipal or general election, prior to his nomination or election, to promise either directly or indirectly, to support or use his influence in behalf of any person or persons for any position, place, or office, or to promise directly or indirectly to name or appoint any person or persons to any place, position or of-

fice in consideration of any person or persons supporting him or using his, her or their influence in securing his or her nomination, election or appointment.

Sec. 2. It shall be unlawful for any person to solicit from any candidate for any office to be voted for at any primary, municipal or general election, or any candidate for appointment to any public office, prior to his nomination, election or appointment, to promise directly, or indirectly, to support or use his or her influence in behalf of any person or persons for any position, place or office, or to promise either directly or indirectly to name or appoint any person or persons to any place, position or office in consideration of any person or persons supporting him or her, or using his, her or their influence in se-securing his or her nomination, election or appointment.

Sec. 3. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and punished as provided in section eleven hundred thirty-seven-a-six (1137-a-6) supplement to the code, 1907.

JOHN H. DARRAH,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate File No. 488, a bill for an act to amend the law as it appears in section ten hundred ninety-three (1093) Supplement to the Code, 1907, relating to election boards, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN H. DARRAH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections, to whom was referred House File No. 59, a bill for an act to repeal sections ten hundred ninety-three (1093) and eleven hundred thirty (1130) of the Supplement to the Code, and section eleven hundred and thirty-eight (1138) of the Code, and to enact substitutes therefor, relating to boards of election and the manner of canvassing the ballots, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN H. DARRAH,
Chairman.

Ordered passed on file.

Senator Malmberg, from the committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your committee on Constitutional Amendments, to whom was referred House Joint Resolution No. 5, proposing to amend the constitutition so as to provide for the initiative and referendum within the state, beg leave to report they have had the same under consideration and recommend the same do pass.

ED. P. MALMBERG,
Chairman.

Ordered passed on file.

Senator Perkins offered the following resolution and moved its adoption:

SENATE RESOLUTION.

Whereas, The Honorable John M. Brayton, one of the old-time pioneers of Delaware county, Iowa, for over fifty years, and an active and honored member of the Iowa Senate in the Tenth and Eleventh General Assemblies from the Delaware county district, passed away at his home in Delhi, Iowa, on the 18th day of September, 1911; therefore be it,

Resolved, That a committee of three (3) be appointed by the President of the Senate to prepare and submit resolutions to commemorate his life, character and services to the state.

Adopted.

The president appointed as such committee, Senators Perkins, Larrabee and Farr.

HOUSE MESSAGES CONSIDERED.

House File No. 669, a bill for an act to provide for the levy of a special tax upon the assessed valuation of the taxable property of the state for a period of ten years for the purchase of real estate for the extension and for the improvement of the state capitol grounds, to define the limits of said extension, to authorize the purchase by executive council of all grounds within said limits, to adopt a plan for the location of buildings, monuments, etc., on said extended ground, and to provide for the sale of certain real estate known as "Governor Square."

Read first and second time.

Senator Mattes asked unanimous consent to consider House File No. 669 at this time.

Senator Doran raised objection.

Senator Mattes moved that the bill be considered at this time.

Carried.

THIRD READING OF BILLS.

On motion of Senator Mattes, House File No. 669, a bill for an act to provide for the levy of a special tax upon the assessed valuation of the taxable property of the state for a period of ten years for the purchase of real estate for the extension and for the improvement of the state capitol grounds; to define the limits of said extension; to authorize the purchase by executive council of all grounds within said limits; to adopt a plan for the location of buildings, monuments, etc., on said extended ground and to provide for the sale of certain real estate known as "Governor Square," was taken up, and considered.

Senator Mattes moved that the rule by which no bill may be read the second and third time the same day be suspended.

Carried.

The bill was read for information.

Senator Mattes moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Dunnegan, Fellows, Francis, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Legal, Malmberg, Mattes, Perkins, Ream, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton —34.

The nays were:

Doran, Garrett, Gillette, Jewell, Nye, Sheean—6.

Absent or not voting:

Chase, Farr, Heald, McColl, McManus, Neal, Quigley, Schrup, Webber, White—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Mattes moved to reconsider the vote by which House File No. 669 passed the Senate and to lay the motion to reconsider on the table.

Carried.

Senator Sullivan moved that Senate File No. 389 be made a special order for 10 o'clock Thursday.

Carried.

Senator Jones moved that in the consideration of bills that calendar numbers be called consecutively, that if a senator is not prepared to take up his bill at that time that the bill go to the Sifting committee.

Motion lost.

THIRD READING OF BILLS.

On motion of Senator Boe, House File No. 658, a bill for an act to legalize the platting of an addition to the town of Kensett, Iowa, executed by Mrs. Margaret Lukason, deceased, dated March 21, 1898, and filed for record in the office of the recorder of Worth county, Iowa, April 8, 1898, was taken up, considered, and the report of the committee adopted.

Senator Boe 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Clarkson, Darrah, Doran, Dunnegan, Farr, Fellows, Gillette, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, Nye, Perkins, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Clinton—28.

The nays were:

None.

Absent or not voting:

Ames, Chase, Cowles, Crist, Crow, DeWolf, Francis, Garrett, Hagemann, Heald, Legel, Mattes, McColl, McManus, Neal, Quigley, Ream, Schrup, Sheean, Webber, White, Wilson of Appanoose—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Unanimous consent was given Senator Boe to withdraw Senate File No. 492 from further consideration by the Senate.

Journal of April 7th, was taken up, corrected, and approved.

Senator Chase moved that the Senate do now adjourn until 9 o'clock A. M., tomorrow.

Carried.

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, APRIL 9, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. J. C. Kendrick, Ottumwa, Iowa.

PETITIONS AND MEMORIALS.

Senator Crow presented a remonstrance of citizens of Monona county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Mattes presented a remonstrance of citizens of Sac county opposing any change in the present school book law.

Referred to committee on Schools.

Senator Malmberg presented a remonstrance of citizens of Sac county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Nye presented a remonstrance of citizens of Taylor county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Wilson of Clinton presented a remonstrance of citizens of Clinton county opposing a permanent tax commission.

Referred to committee on Ways and means.

THIRD READING OF BILLS.

On motion of Senator Gillette, House File No. 87, a bill for an act to amend section forty-six hundred three (4603) of the code of 1897 by providing for the cross-examination of the adverse party to the record of any civil action or proceeding, or a person for

whose benefit action or proceeding is prosecuted or defended, or the directors, officers, superintendent, or managing agents of any corporation which is a party to the record, and providing that the party calling such witness shall not be bound by his testimony and that the testimony of such witness may be rebutted by the party calling such witness by other evidence; all relating to evidence in civil actions and proceedings, was taken up and considered.

Senator Gillette offered the following amendment and moved its adoption.

A move to amend House File No. 87 by adding to section 1 thereof, the following: "But nothing in this act shall be construed as permitting the calling and interrogating of a witness, relative to or concerning any matters of evidence, privilege by sections 4604, 4606, 4607, 4608 and 4612 of the code, or as changing the rules of evidence relative to such sections."

Adopted.

Senator Gillette 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 ayes were:

Allen, Balkema, Boe, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Jones, Legel, Mattes, McColl, Neal, Nye, Ream, Robinson, Spaulding, Thomas, Wilson of Appanoose, Wilson of Clinton—24.

The nays were:

Chase, Garrett, Perkins, Smith, Webber—5.

Absent or not voting:

Ames, Arney, Balluff, Clarkson, Cowles, Crist, DeWolf, Heald, Hilsinger, Jewell, Kimball, Larrabee, Malmberg, McManus, Quigley, Savage, Schrup, Sheean, Sullivan, Taylor, White—21.

So the bill having failed to receive a constitutional majority was declared lost.

On motion of Senator Neal, House File No. 323, a bill for an act to repeal section five thousand twenty-eight-a (5028-a) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the prevention and punishment of the desecration, mutilation or improper use of the flag of the United States of America and the flag of the state of Iowa, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Neal 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 ayes were:

Allen, Balkema, Boe, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Jones, Kimball, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Ames, Arney, Balluff, Chase, Clarkson, Cowles, Crist, DeWolf, Farr, Heald, Hilsinger, Jewell, Larrabee, McManus, Quigley, Savage, Schrup, Sheean, White—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 670, a bill for an act to repeal section 2606 Supplement to the Code, 1907, and to enact a substitute therefor relative to admission to Soldiers' Home.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 530, a bill for an act to amend section 13 of the Code relating to the compensation of officers and employes of the General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 346, a bill for an act to repeal sections 3543 and 3544 of the Code of Iowa, 1897, and to enact a substitute in lieu thereof relative to the filing of a lis pendens.

A. C. GUSTAFSON,
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. 14, proposing an amendment to the constitution of the state of Iowa, by amending section 1, article 10 of said constitution, relating to the manner of the amendment of the constitution.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 275, a bill for an act to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 539, a bill for an act to amend section 2448-9 of the Supplement of the Code, 1907, regulating the hours of the day during which liquor may be sold in saloons.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 393, a bill for an act to amend section 2 of chapter 190 of the laws of the Thirty-third General Assembly relative to the libary commission and travelling library.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 249, a bill for an act to repeal section 21, chapter 72 of the acts of the Thirty-fourth General Assembly, relating to the powers of local authorities to regulate the use of motor vehicles upon streets and highways, and enacting a substitute therefor

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 474, a bill for an act to amend the law as it appears in an act passed by the Thirty-fifth General Assembly and approved on the 20th day of March, 1913, entitled "A bill for an act additional to chapter 5, title 10 of the Code, to require locomotives to be equipped with head lights."

A. C. GUSTAFSON,
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 providing for the paroling of patients in the state hospital for inebriates etc., and repealing section 2310-a19 of the Supplement to the Code, 1907.

A. C. GUSTAFSON,
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. 334, a bill for an act providing for the assessment of the cost of main sewers to the property within the territory drained, etc., and amending section 840-d of the Supplement to the Code, 1907.

A. C. GUSTAFSON,
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. 140, a bill for an act to repeal section 5685-a, Supplement to the Code, 1907, and to enact a substitute therefor in regard to collection of money from vistors and its use.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 250, a bill for an act to repeal sections, 2, 6, 7, 8, 11, 15, 16 and 22 of chapter 72 of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor, relating to the registration and regulation of motor vehicles.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 5, a bill for an act providing for the non-partisan nomination and election of judges of the supreme, district and superior courts of Iowa.

A. C. GUSTAFSON,
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. 652, a bill for an act to legalize the acts of the electors of the city of Osceola, Iowa, in voting for the issuing of bonds in aid of improvement and extension of the city water works.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked.

House Concurrent Resolution relative to the appointment of a committee to purchase a chair and gavel for both the President of the Senate and Speaker of the House.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. SPEAKER—I am directed to inform your honorable body that the House requests the return of House File No. 230, a bill for an act to establish an industrial school at Eldora and Mitchellville.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Wilson of Appanoose, Senate File No. 206, a bill for an act to amend section 1, chapter 104, acts of the Thirty-third General Assembly, describing the form of index of

articles of incorporation, and making it the duty of the recorder to so index said articles, was taken up and considered.

Senator Wilson moved that the Senate concur in the following House amendment:

HOUSE SUBSTITUTE AMENDMENT.

A BILL for an Act to Amend Section One (1) Chapter One Hundred Four (104) Acts of the Thirty-third (33d) General Assembly, as Amended by Chapter Seventy-three (73) of the Acts of the Thirty-fourth (34th) General Assembly, Describing the Form of Index of Articles of Incorporation, and making it the Duty of the Recorder to so Index Said Articles.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section one (1) of chapter one hundred four (104) of the acts of the Thirty-third (33d) General Assembly, as amended by chapter seventy-three (73) of the acts of the Thirty-fourth (34th) General Assembly, be amended by inserting after the word "purpose" in the twelfth line of said section the following:

The county recorder shall keep in his office an index book for articles of incorporation, which shall be ruled and headed substantially after the following form, and shall make entries therein in the order in which they are filed in his office.

INDEX TO ARTICLES OF INCORPORATION.

Name	Place of Business	Date of Filing			Date of Inst.		Capital Stock	Remarks
		Mo.	Day	Yr.	Book	Page		

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hage-

mann, Jewell, Jones, Kimball, Mattes, McColl, Neal, Perkins, Ream, Robinson, Smith, Spaulding, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

None.

Absent or not voting:

Arney, Cowles, Crist, DeWolf, Dunnegan, Heald, Hilsinger, Larrabee, Legel, Malmberg, McManus, Nye, Quigley, Savage, Schrup, Sheean, Sullivan, Taylor—18.

So the House amendment having received a constitutional majority was declared concurred in.

HOUSE MESSAGES CONSIDERED.

House File No. 670, a bill for an act to repeal section twenty-six hundred six (2606) of the supplement to the code, 1907, and to enact a substitute therefor, relating to admission to soldiers' home.

Read first and second time and referred to Sifting committee.

House File No. 530, a bill for an act to repeal the law as it appears in chapter two (2), section thirteen (13) of the code and to enact a substitute therefor, relating to the compensation of officers and employees of the General Assembly.

Read first and second time and referred to Sifting committee.

House File No. 346, a bill for an act to repeal sections thirty-five hundred forty-three (3543) and thirty-five hundred forty-four (3544) of the code of Iowa, 1897, and to enact a substitute in lieu thereof, relative to the filing of a lis pendens.

HOUSE JOINT RESOLUTION NO. 14.

Joint Resolution Proposing an Amendment to the Constitution of the State of Iowa, by Amending section One (1) of Article Ten (X) of Said Constitution, Relating to the Manner of the Amendment of the Constitution.

Be it Resolved by the General Assembly of the State of Iowa:

Section 1. That the following amendment to the constitution of the state of Iowa be and the same is hereby proposed and referred to the Thirty-sixth General Assembly:

That section one (1) of article ten (X) of the constitution of the state of Iowa be and the same is hereby amended by striking out all of said section and inserting in lieu thereof the following:

"Section 1. Any amendment or amendments to this constitution may be proposed in either house of the General Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendments shall be entered on their journals, with the yeas and nays taken thereon. Then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people in such manner, and at such time as the General Assembly shall provide; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the general assembly, voting thereon, such amendment or amendments shall become a part of the constitution of this state."

Read first and second time and referred to Sifting committee.

Senate File No. 162, a bill for an act providing for the paroling of patients in the state hospital for inebriates and certain female patients from state hospitals for the insane, and for the return of patients who violate their paroles, and repealing the law as it appears in section twenty-three hundred ten-a-nineteen (2310-a-19) of the supplement to the code, 1907.

House amendment:

That there be stricken out of the fourth line of section one the following section, "Section 2310-a-19."

That there be stricken out of the seventeenth and eighteenth lines of section one the following: "of the court which or the judge of which committed him," and insert in lieu thereof "or judge of the court which committed him."

That there be stricken out of the fourth line of section two the Roman figures "XII" and that there be inserted in lieu thereof the figures "12."

Passed on file.

Senate File No. 334, a bill for an act providing for the assessment of the cost of main sewers to the property within the territory drained and defining adjacent property relative thereto, and amending section eight hundred forty-d (840-d), of the supplement to the code, 1907, relating to the construction of main sewers and paying the cost thereof.

Passed on file.

Senator Kimball moved that the Senate concur in the following amendments:

House amendment:

Amend section one (1) line 3 by inserting after the word "cities" the following: "including cities under special charter."

Also insert in line 1 of section 1 the figures "(840-d)."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Ames, Balkema, Boe, Chase, Clarkson, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream, Robinson, Spaulding, Taylor, Thomas, White, Wilson of Appanoose—30.

The nays were:

None.

Absent or not voting:

Arney, Balluff, Cowles, Crist, Crow, DeWolf, Farr, Francis, Heald, Hilsinger, McManus, Quigley, Savage, Schrup, Sheean, Smith, Sullivan, Webber, Wilson of Clinton—20.

So the House amendment having received a constitutional majority was declared concurred in.

THIRD READING OF BILLS.

On motion of Senator Perkins, Senate File No. 162, a bill for an act providing for the paroling of patients in the state hospital for inebriates and certain female patients from state hospitals for the insane, and for the return of patients who violate their paroles, and repealing the law as it appears in section twenty-three hundred ten-a-nineteen (2310-a-19) of the supplement to the code, 1907, was taken up and considered.

Senator Perkins moved that the Senate concur in the following House amendments:

HOUSE AMENDMENT.

That there be stricken out of the fourth line of section one the following: "Section 2310-a19."

That there be stricken out of the seventeenth and eighteenth lines of section one the following: "of the court which or the judge of which committed him", and insert in lieu thereof "or judge of the court which committed him."

That there be stricken out of the fourth line of section two the roman figures "XII" and that there be inserted in lieu thereof the figures "12".

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Robinson, Smith, Spaulding, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Arney, Balkema, Cowles, Crist, DeWolf, Francis, Heald, Hilsinger, Kimball, Quigley, Ream, Savage, Schrup, Sheean, Sullivan, White—16.

So the House amendments having received a constitutional majority were declared concurred in.

HOUSE MESSAGES CONSIDERED.

Senate File No. 140, a bill for an act to repeal the law as it appears in section fifty-six hundred eighty-five-a (5685-a) of the supplement to the code of 1907, and to enact a substitute therefor in regard to collection of money from visitors and its use.

Senator Jones moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT.

That there be stricken out of the fifth line thereof the following: "Section 5685-a."

On the question, "Shall the Senate concur in the House amendment?"

The ayes were:

Allen, Ames, Balkema, Boe, Chase, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, McManus, Nye, Perkins, Ream, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

None:

Absent or not voting:

Arney, Balluff, Clarkson, Cowles, Crist, Crow, DeWolf, Garrett, Heald, Hilsinger, Larrabee, McColl, Neal, Quigley, Savage, Schrup, Sheean, White—18.

So the House amendment having received a constitutional majority was declared concurred in.

Senate File No. 250, a bill for an act to repeal sections two (2), six (6), seven (7), eight (8), eleven (11), fifteen (15), sixteeen (16) and twenty-two (22), of chapter seventy-two (72) of the acts of the Thirty-fourth General Assembly, and to enact substitutes therefor relating to the registration and regulation of motor vehicles.

HOUSE AMENDMENTS.

That section 1 of the original bill be amended by striking out all of line 5 after the word "ambulances" and all of line 6 preceeding the word "and" and that section 1 be further amended by inserting in line 19 following the word "vehicles" the following: "which have a speed capacity of not more than 10 miles per hour," and in the same line by striking out the words "as may" and inserting in lieu thereof the following: "and which shall".

Amend section four (4) by striking from lines fifteen (15), twenty-two (22) and twenty-eight (28) the word "September" inserting in lieu thereof the word "August."

The section 5, line 7, be amended by striking out the words "a placard" and inserting the following words "metal number plates to be furnished by the secretary of state to the dealer as provided in section 15.

That section 6, line 27, be amended by inserting after the word "duplicate" the word "set".

Amend section six (6) by adding thereto the following: "but no dealer or manufacturer shall be required to keep more than one car registered for his private use".

Passed on file.

HOUSE CONCURRENT RESOLUTION.

Concurrent Resolution Relative to the Purchase of a Chair and Gavel for the President of the Senate and the Speaker of the House.

Be it Resolved by the House of Representatives, the Senate concurring:

That the Speaker Pro Tempore of the House and the President Pro Tempore of the Senate appoint a committee of five members, three from the House and two from the Senate, for the purpose of providing the Speaker of the House and President of the Senate each with one chair and one gavel.

Passed on file.

House File No. 230, a bill for an act to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act.

Senator Dunnegan moved that the request of the House for the return of House File No. 230 be granted.

Carried.

Senator Allen called up for consideration the concurrent resolution offered by the committee on Retrenchment and Reform on April 4th, relative to final adjournment and reconvening on Tuesday, October 21st, 1913.

Senator Francis offered the following amendment:

I move to amend the resolution found on page 1648 of the Senate Journal as follows:

I. Strike out section 1 and substitute therefor the following: "That when the House and Senate adjourn Thursday, April 17th, 1913, it be until 10:00 o'clock of Tuesday, December 2nd, 1913."

II. Amend section 3 by adding thereto the following: "Balance of salary to members of the General Assembly shall be paid on Thursday, April 17th, 1913."

Senator Francis moved that further consideration of the resolution be postponed and that same come up tomorrow under the head of unfinished business.

Carried.

Senator Farr offered the following resolution and moved its adoption:

Whereas, the Hon. Elbert Hamilton Hubbard, for more than fifty years a resident of Sioux City, Woodbury county, Iowa, and an active and honored member of the Iowa Senate through the twenty-eighth and twenty-ninth general assemblies, from the thirty-second district, passed away at his home in Sioux City on the 3 day of June, 1912.

Therefore, be it resolved that a committee of three be appointed by the president of the Senate to prepare and submit resolutions to commemorate his life, character and services to the state and nation.

Adopted.

President appointed as such committee Senators Farr, Francis and Balkema.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 3, a bill for an act to provide, secure and pay compensation for employees who sustain personal injury while in line of duty.

The motion of Senator Cowles pending was as follows:

"I move to substitute Senate File No. 173 for Senate File No. 3, now under consideration."

Senator Gillette was called to the chair at 10:20.

President Harding resumed the chair at 11:30.

On the motion of Senator Cowles to substitute Senate File No. 173 for Senate File No. 3 a roll call was demanded.

Those favoring the motion were:

Balluff, Cowles, Hilsinger, Jewell, Kimball, Mattes, Smith, Spaulding, Webber—9.

The nays were:

Allen, Arney, Balkema, Chase, Crist, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Gillette, Jones, Larrabee, Legel, Malmberg, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—29.

Absent or not voting:

Ames, Boe, Clarkson, Dunnegan, Farr, Hagemann, Heald, McColl, Savage, Schrup, Taylor, Thomas—12.

So the motion to substitute was lost.

Senator Webber asked that the substitute offered by Senator Farr be considered at this time.

Senator Clarkson raised objections and stated that it had been agreed by the Senate to consider the amendments in order filed.

The chair held that unless the Senate otherwise ordered that the amendments offered by Senator Webber were next in order.

Senator Webber offered the following amendment as printed in the Journal of April 4th:

I move to amend Senate File No. 3 as amended, by striking out all of part three (3) of said bill, beginning on page nineteen (19) of the printed bill, and substituting therefor the following:

Sec. 43. Every employer, subject to the provisions of this act, shall insure his liability thereunder in some corporation, association or organization approved by the state department of insurance. Every such employer shall within thirty (30) days after this act goes into effect exhibit on demand of the state insurance department evidence of his compliance with this section. And if such employer refuses, or neglect to comply with this section, he shall be liable in case of injury to any workman in his employe under part one (1) of this act.

Sec. 44. For the purpose of complying with the foregoing section groups of employers by themselves or in an association with any or all of their workman, may form insurance associations as hereafter provided, subject to such reasonable conditions and restrictions as may be fixed by the state insurance department and membership in such mutual insurance organizations so approved, together with evidence of the payment of premiums due, shall be evidence of compliance with the preceding section.

Sec. 45. Subject to the approval of the state insurance department any employer or group of employers may enter into or continue an agreement with his or their workmen to provide a scheme of compensation, benefit or insurance in lieu of the compensation and insurance provided by this act; but such schemes shall in no instance provide less than the benefits here secured, nor vary the period of compensation provided for disability or for death, or the povisions of this act with respect to periodic payments, or the percentage that such payments shall bear to weekly wages, except that the sums required may be increased; provided, further, that the approval of the insurance department shall be granted, if the scheme provides for contribution by workmen, only when it confers benefits in addition to those required by this act commensurate with such contributions.

Sec. 46. Whenever such scheme or plan is approved by the department of insurance, he shall issue a certificate to that effect, whereupon it shall be legal for such employer, or group of employers, to contract with any or all of his or their workmen to substitute such scheme or plan for the provisions of this act during a period of time fixed by said department.

Sec. 47. Such scheme or plan may be terminated by the insurance department on reasonable notice to the interested parties if it shall appear that the same is not fairly administered, or if its operation shall disclose latent defects threatening its solvency, or if for any substantial reason it fails to accomplish the purpose of this act; but from any such order of said insurance department the parties affected, whether employer or workmen, may, upon the giving of proper bond to protect the interests involved appeal for equitable relief to the district court of this state.

Sec. 48. No insurer of any obligation under this act shall either by himself or through another, either directly or indirectly, charge or accept as a commission or compensation for placing or renewing any insurance under this act more than fifteen (15) per cent of the premiums charged.

Sec. 49. Every policy issued by any insurance corporation, association or organization to assure the payment of compensation under this act shall contain a clause providing that between any employer and the insurer, notice, to and knowledge of the occurrence of injury or death on the part of the insured shall be notice and knowledge [illegible] part

of the insurer; and jurisdiction of the insured for the purpose of this act shall be jurisdiction of the insurer and the insurer shall be bound by every agreement, adjudgment, award or judgment rendered against the insured.

Sec. 50. No policy of insurance issued under this act shall contain any provision relieving the insurer from payment if the insured becomes insolvent or discharged in bankruptcy during the period that the policy is in operation, or the compensation, or any part of it, is due and unpaid. Every policy shall provide that the workman shall have a first lien upon any amount becoming due on account of such policy to the insured from the insurer, and that in case of the legal incapacity, inability or disability of the insured to receive the amount due and pay it over to the insured workman, or his dependents, said insurer shall pay the same directly to such workman, his agent, or to a trustee for him or his dependents, to the extent of discharging any obligation of the insured to said workman or his dependents.

Senator Kimball moved that the Senate do now adjourn until 1:30 P. M., today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M.

President Harding presiding.

Senator Hagemann offered the following resolution, and moved its adoption:

Resolved, that the president appoint a committee of three members for the purpose of preparing resolutions commemmorative of the life, character and services of the late Capt. A. M. Whaley, member of the ninteenth, twentieth, and twenty-first general assemblies from the thirty-ninth senatorial district.

Adopted.

The president appointed as such committee, Senators, Hagemann, Wilson of Clinton and Chase.

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 Joint Resolution No. 10, joint resolution amending Senate Joint Resolution No. 1 of the Thirty-fifth General Assembly, relating to the compensation of additional employees of the Thirty-fifth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to imform your honorable body that there has been filed a motion to reconsider the vote by which Senate File 539, passed the House, and I therefore request its return.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 3, a bill for an act to provide, secure and pay compensation for employes who sustained personal injury while in line of duty.

Senator Gillette was called to the chair at 1:35.

The question before the Senate was on the adoption of the amendments offered by Senator Webber, to amend Senate File No. 3, as amended by striking out all of part three (3) of said bill beginning on page nineteen (19) of the printed bill and substituting the amendments as printed on pages 1687 and 1688 of the Journal.

The president resumed the chair at 2:55.

Senator Hagemann moved the previous question on the amendment.

Carried.

Those favoring the amendments of Senator Webber were:

Allen, Ames, Arney, Balkema, Balluff, Cowles, Crist, DeWolf, Dunnegan, Fellows, Francis, Hagemann, Hilsinger, Mattes, Mc-

Coll, Perkins, Quigley, Robinson, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White—25.

The nays were:

Boe, Chase, Clarkson, Crow, Darrah, Doran, Farr, Jewell, Kimball, Larrabee, Malmberg, McManus, Neal, Nye, Ream, Wilson of Appanoose—16.

Absent or not voting:

Garrett, Gillette, Heald, Jones, Legel, Savage, Schrup, Taylor, Wilson of Clinton—9.

So the amendments were adopted.

The question before the Senate was upon the following amendment offered by Senator Webber.

I move to amend Senate File No. 3 as amended by striking out, beginning with line 25, of subdivision "D," of section 10, the words and figures sixty per cent (60%) and substituting in their place the words and figures fifty per cent (50%). Also in the same the words and figures twelve dollars ($12.00) and substitute therefor the words and figures ten dollars ($10.00) and that this amendment apply to change the words and figures wherever they appear on page 7 of the printed bill, and that the words and figures sixty per cent (60%) wherever they appear on page 8 of the printed bill and substitute therefor in each instance the words and figures fifty per cent (50%).

Adopted.

Senator Wilson of Appanoose offered the following amendment and moved its adoption:

I move to amend section 3 by inserting after the word "employer," and before the word "unless," the following words: "as by statute authorized"; and that said section be further amended by inserting the word "failure" in line eighteen, instead of the word "fails"; and inserting the word "violation" in place of the word "violate", the word "of" to follow said word "violation," in the nineteenth line of said section.

Adopted.

Senator Wilson of Appanoose offered the following amendment, and moved its adoption:

I move to strike from the close of section 3, as provided by the principal bill, at line forty-four, all the amendment thereto beginning with the words "in any case" and ending with the word "instrument."

On the adoption of the amendment, a roll call was demanded.

Those favoring the amendment were:

Balluff, Cowles, Dunnegan, Hagemann, Kimball, Mattes, Smith, Spaulding, Taylor, Webber, Wilson of Appanoose—11.

The nays were:

Allen, Arney, Balkema, Boe, Chase, Clarkson, Darrah, DeWolf, Doran, Francis, Garrett, Gillette, Hilsinger, Jewell, Larrabee, Malmberg, McColl, Neal, Ream, Sullivan, Thomas, Wilson of Clinton—22.

Absent or not voting:

Ames, Crist, Crow, Farr, Fellows, Heald, Jones, Legel, McManus, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, White—17.

So the amendment was lost.

Senator Wilson of Appanoose offered the following amendment and moved its adoption:

I move to insert in line one of section 9, after the word "representative," the following words: "of such employer."

Adopted.

Senator Wilson of Appanoose offered the following amendment and moved its adoption:

I move to insert after the word "support" in line 31, of section 17, and before the word "upon" the words "or not."

Adopted.

Senator Wilson of Appanoose offered the following amendment and moved its adoption:

I move to amend the amendment to section 25, line 26. by inserting after the word "commission," in the first line of said amendment, the following words: "during the term of his appointment."

Adopted.

Senator Gillette offered the following amendment and moved its adoption:

I move to amend Senate File No. 3 by striking from section nine (9) all of said section commencing with the word "provided" in line nine (9) thereof down to and including the word "notice in the thirteenth (13th) line thereof.

Also by striking out the word "further" in the thirteenth (13th) line of section nine (9).

Amendment lost.

Senator Gillette offered the following amendment and moved its adoption:

I move to amend Senate File No. 3 by striking from sub-division b of section three (3) all the words following the comma after the word "law" in line fourteen (14) of said sub-division down to and including the word "party" in the twenty-second (22d) line thereof and substituting in lieu of the stricken portion the words "or secured by statutory enactment."

Amendment lost.

Senator Gillette offered the following amendment and moved its adoption:

I move to amend Senate File No. 3 by striking from the third (3d) line of section two (2) thereof the words "while intoxicated" and substituting in lieu thereof the words, "where intoxication of the employee was the proximate cause of the injury."

Adopted.

Senator Farr offered the following amendment to the substitute offered by him on April 8th, and appearing on pages 1817 to 1831 inclusive of the Journal:

I move to amend division a of section one by striking out all of that section before the word "employer" in the third line and inserting in lieu thereof the word "every."

Adopted.

Senator Farr offered the following amendment to the substitute and moved its adoption:

I move to strike out sub-division b of section one and insert in lieu thereof the following: "The state and every county, municipal corporation and school district shall pay compensation to injured employes as by this act provided, but the state and counties shall pay directly to the injured employes. Municipal corporations and school districts shall be considered employers and shall pay licenses and come under all of the conditions and provisions of this act relating to other employers of labor and be classified by the industrial commission."

Adopted.

Senator Farr offered the following amendment to the substitute and moved its adoption:

I move to amend section twenty-nine by striking out the word "and" in the sixth line and inserting the word "but", and by striking out the words "said date" in the same line and inserting in lieu thereof "May 1, 1915."

Adopted.

Senator Farr offered the following amendment and moved its adoption:

I move to amend section 30 by inserting after the word "business" in the last line thereof the words "or occupation."

Adopted.

Senator Farr offered the following amendment and moved its adoption:

I move to amend section 31 by inserting after the word "for" in the fourth line thereof the words "an amount equal to" and after the word "percent" the words "of the."

Adopted.

Senator Farr offered the following amendment and moved its adoption:

I move to amend section 32 by inserting after the last word "the" in the first line thereof the word "first".

Adopted.

Senator Farr offered the following amendment and moved its adoption:

I move to amend section thirty-five (35) by adding the following: insert between the word "amount" and the word "to" in line five thereof, "together with 25 per cent of the gross amount of the indemnities allowed."

Adopted.

Senator Farr offered the following amendment and moved its adoption:

I move to amend section 36 by striking out the last word "fund" in line ten thereof and inserting in lieu thereof "license fees."

Adopted.

Senator Farr offered the following amendment and moved its adoption:

I move to amend section 37 by inserting the word "the" before the word "proper" in the second line thereof.

Adopted.

Senator Farr offered the following amendment and moved its adoption:

I move to amend by striking out section 42 and inserting in lieu thereof the following:

"Sec. 42. Before any employer shall discontinue the business or occupation in which he shall be engaged, wherein any employe or employes shall have been injured and become beneficiaries under this act, he shall pay to the state treasurer to become a part of the employes' indemnity fund, the then value of the indemnity allowed such injured employe, less the amount paid by the state and less the amount theretofore paid by the employer in licenses or otherwise, relating to such occupation, and he and his estate shall be liable for such obligations the same as ordinary debts.

Adopted.

Senator Hagemann moved that the substitute offered by Senator Farr be laid on the table.

Senator Clarkson moved that further consideration of the bill be postponed until 10:30 tomorrow, and be made a special order for that time.

Carried.

Senator Smith filed the following amendments:

1. I move to strike out section 20 and substitute the following in lieu thereof:

"In all cases where an employee becomes entitled to compensation for injuries received within the meaning of this act and to which this act applies, the employee shall have a first and prior lien for the amount thereof upon all property of the employer liable therefor paramount to all other claims excepting for wages and taxes and other liens existing on the date on which the injury occurred."

2. I move to amend section 33 of Senate File No. 3 as follows: Strike out all of section 33 from and including the words "and in the event," in the seventh (7) line in said section.

3. I move to amend Senate File No. 3, by striking from the third line of section 2 thereof the word: "where intoxication of the employee was the approximate cause of the injury", as inserted therein by the amendment adopted on April 9th, and substituting therefor the words "while intoxicated, or where the employee was addicted to the habitual use of intoxicating liquors."

Senator Spaulding filed the following amendment:

4. MR. PRESIDENT—I move to amend Senate File 3, section one (1), subdivision a, as amended, by striking out all of said subdivision following the word "injury" in the ninth (9) line of the amended bill.

The president announced that as president of the Senate, he had signed in the presence of the Senate, House Files Nos. 119, 220, 313, 391, 652, 175, 226, 303, 418, 440, 498 and 513, also Senate Files Nos. 27, 378, 358, 44, 304, 87, 38, 16 and 80.

Journal of April 8th was taken up, corrected and approved.

Senator Kimball filed the following motion:

I move to reconsider the motion by which House File No. 290 was indefinitely postponed by the adoption of the committee report.

CLEM F. KIMBALL.

THIRD READING OF BILLS.

On motion of Senator Darrah, Senate File No. 502, a bill for an act to amend the law relating to primary elections as the same appears in sections ten hundred eighty-seven-a-one (1087-a-1), ten hundred eighty-seven-a-ten (1087-a-10), ten hundred eighty-

seven-a-twenty-five (1087-a-25), ten hundred eighty-seven-a-twenty-six (1087-a-26), ten hundred eighty-seven-a-twenty-seven (1087-a-27) and ten hundred eighty-seven-a-thirty (1087-a-30), supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Darrah moved the adoption of the following amendments:

Amend the title by inserting after the last word of said title and before the period following said word the following: "and chapter fifty-nine (59) of the acts of the Thirty-fourth General Assembly."

And amend said bill by adding thereto as an additional section thereof the following:

"Sec. 7. That the law as it appears in chapter fifty-nine (59) of the acts of the Thirty-fourth General Assembly be and the same is hereby amended by striking from line twenty-seven (27) thereof the word "ten" and by inserting in lieu thereof the word "fifteen."

Adopted.

Senator Darrah 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crow, Darrah, Doran, Farr, Fellows, Francis, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Nye, Ream, Robinson, Smith, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose—31.

The nays were:

Balluff, Cowles, Garrett, Wilson of Clinton—4.

Absent or not voting:

Crist, DeWolf, Dunnegan, Gillette, Heald, Legel, McManus, Neal, Perkins, Quigley, Savage, Schrup, Sheean, Spaulding, White—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended was agreed to.

House File No. 54, a bill for an act providing for the sanitation of bakeries, canneries, packing houses, slaughter houses, dairies, creameries, cheese factories, confectioneries, restaurants, hotels, groceries, meat markets and all other food producing establishments, manufactories, or other places where food is prepared, manufactured, packed, stored, sold or distributed, and vehicles in which food is placed for transportation; providing for the licensing of persons, firms or corporations operating or conducting bakeries, candy factories, ice cream factories, canning factories, slaughter houses, meat markets or places where fresh meats are sold at retail; fixing such license fee and the duration of such license and the rights thereunder; defining food, regulating the wholesomeness of food manufactured, prepared, packed, stored, sold, distributed or transported; defining the duties of the State Food and Dairy Commissioner in relation thereto, providing penalties for the violation thereof, and repealing acts in conflict therewith.

Senator Kimball moved the previous question.

Carried.

Senator Balkema 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Darrah, DeWolf, Dunnegan, Farr, Fellows, Garrett, Hagemann, Jones, Larrabee, McColl, Nye, Perkins, Ream, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White—28.

The nays were:

Balluff, Cowles, Crow, Doran, Hilsinger, Quigley—6.

Absent or not voting:

Crist, Francis, Gillette, Heald, Jewell, Kimball, Legel, Malmberg, Mattes, McManus, Neal, Savage, Schrup, Sheean, Wilson of Appanoose, Wilson of Clinton—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Sullivan, Senate File No. 436, a bill for an act granting additional powers to cities organized under the commission plan of government, and amending section one (1) of chapter sixty-seven (67), laws of the Thirty-third General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan offered the following amendment and moved its adoption:

"I move to amend Senate File No. 463 by inserting the figures '435' whenever the blank space for a Senate bill appears."

Adopted.

Senator Sullivan moved to strike out the word "daily" before the word "capital" in the publication clause:

Adopted.

Senator Sullivan 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Nye, Quigley, Ream, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Crist, Francis, Garrett, Gillette, Heald, Jewell, Legel, McManus, Neal, Perkins, Schrup, Sheean, Webber—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Smith moved that when the Senate adjourn for the day, that the Senate adjourn until 9 o'clock A. M., tomorrow.

Carried.

Senator Smith moved that the Senate do now adjourn until 7:30 P. M.

Motion withdrawn.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate File No. 309, a bill for an act to provide the method of constructing and operating gypsum mines, for escape shafts and for the ventilation of such mines, to provide for the inspection of the same by the state mine inspector, to require operators to report fatal accidents and to provide penalties for violation of this act.

Also:

Senate File No. 349, a bill for an act to amend the law as it appears in section eight hundred twenty-five (825) of the Code, relating to street improvements and sewers.

Also:

Substiute for Senate File No. 57, a bill for an act to confer power upon the railroad commission of the state of Iowa to grant a franchise to any individual or corporation organized in Iowa, under the general incorporation laws of the state, engaged in the manufacture, sale or distribution for sale of electric current, to construct transmission lines and obtain the necessary interests in real estate therefor, and the manner of making compensation to said owner of said lands for said rights.

Also:

Senate File No. 70, a bill for an act to establish a department of public instruction, and to amend section ten hundred and sixty-five (1065) of the Supplement to the Code, 1907, and to repeal chapter one (1) of title thirteen (13) of the Code, and to repeal chapter one (1) of title thirteen (13) of the Supplement to the Code, 1907, as amended, relative to the office of superintendent of public instruction, and to enact a substitute therefor.

Also:

Senate File No. 418, a bill for an act to require the equipment and maintenance of sanitary closets at railway stations in this state, providing for the regulation and inspection thereof and fixing a penalty for violation of this act.

Also:

Senate File No. 351, a bill for an act to promote horticulture by the creation of new and better adapted varieties through scientific cross-breeding and selection, and to make an appropriation therefor.

JOHN H. TAYLOR,
Chairman.

Also:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have this day sent to the governor for his approval:

Senate File No. 27, a bill for an act to require all railroad companies owning railroads in the state of Iowa, of less than four (4) feet, eight and one half (8½) inches gauge, to adopt such gauge within such reasonable time as may be fixed by the railroad commissioners.

Also:

Senate File No. 378, a bill for an act to amend section twenty-one hundred and thirteen (2113) of the Supplement to the Code, 1907, as amended by chapter one hundred twenty-seven (127) of the acts of the Thirty-third General Assembly relating to the powers of the board of railroad commissioners.

Also:

Senate File No. 358, a bill for an act legalizing a resolution passed by the council of the city of Atlantic on February twenty-seventh (27th) nineteen hundred thirteen (1913) transferring the sum of eighteen hundred dollars ($1800.00) from the sewer fund of said city to the general fund of said city of Atlantic, Iowa, and legalizing such transfer.

Also:

Substitute for Senate File No. 44, a bil for an act to repeal the law as it appears in section five thousand six hundred sixty-nine-a (5669-a), five thousand seven hundred sixteen (5716), and five thousand seven hundred eighteen-a-twenty-eight (5718-a-28) of the Supplement to the Code, 1907, and in sections five thousand seven hundred seventeen (5717), and five thousand seven hundred eighteen, (5718) of the Code, and to enact substitutes therefor, providing for the compensation and allowances of officers and employees of the reformatory at Anamosa and the penitentiary at Fort Madison.

Also:

Senate File No. 304, a bill for an act for the relief of the grantees of David E. Fry, and for the purpose of having patents issued in the names of W. F. Pomeroy and Arthur Dilley, for certain tracts of land.

Also:

Senate File No. 87, a bill for an act amending the law as it appears in section 2578 of the Supplement to the Code, 1907, relating to revocation of physicians' certificates and defining un-professional conduct.

Also:

Senate File No. 38, a bill for an act to provide for the compilation of the laws of the Thirty-third, Thirty-fourth and Thirty-fifth General Assemblies and the laws as they appear in the Supplement to the Code, 1907; to annotate same and the Code and rules of the supreme court, to and in cluding May term, 1913, of the supreme court and to publish the said compilation and annotations as the "Supplement to the Code, 1913" and to provide for the appointing of a supervising committee, the election of an editor of such Supplement to the Code and to establish a salary for such editor, and making an appropriation therefor, and repealing section twenty-four (24) of chapter twenty(20) of the acts of the Twenty-sixth General Assembly, extra session, as same appears on page five (5) of the prefix to the Code.

Also:

Substitute for Senate File No. 16, a bill for an act to repeal section three thousand thre hundred seventy-nine (3379) of the Code and to enact a substitute therefor, relating to the share of surviving spouse.

Also:

Senate File No. 80, a bill for an act to pension the survivors of the Spirit Lake Relief Expedition of 1857, providing the amount of such pensions, the method of payment, and making an appropriation therefor.

JOHN H. TAYLOR,
Chairman.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

House File No. 119, a bill for an act to amend section four hundred and thirty (430) of the Supplement to the Code, 1907, as amended by chapter twenty-five (25) of the laws of the Thirty-fourth General Assembly relative to the dependent soldiers' and sailors' tax.

Also:

House File No. 220, a bill for an act to amend the law as it appears in section three (3), chapter one hundred seventy-four (174), laws of the Thirty-fourth (34th) General Assembly, relating to the misbranding of foods.

Also:

House File No. 313, a bill for an act to legalize certain warrants of the city of Iowa City, Iowa.

Also:

House File No. 391, a bill for an act to amend the law as it appears in section two hundred and twenty-seven (227) of the Supplement to the Code, 1907, relative to judicial districts and the number of judges therein and to provide for three judges in the tenth district.

Also:

House File No. 652, a bill for an act to legalize the act of the electors of the city of Osceola, Iowa, in voting for the issuance of bonds in aid of improvement and extension of the city water works.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

REPORTS OF COMMITTEE.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 349, a bill for an act to amend the law as it appears in section seven (7) of chapter one hundred sixty-nine (169) of the acts of the Thirty-third (33d) General Assembly relating to the compensation of the state bee inspector, and to make an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 349.

A BILL for an Act to Amend the Law as it Appears in Section Seven (7) of Chapter One Hundred Sixty-nine (169) of the Acts of the Thirty-third General Assembly, Relating to the Compensation of the State Bee Inspector, and to Make an Appropriation Therefor.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it apears in section seven (7) of chapter one hundred sixty-nine (169) of the Acts of the Thirty-third General Assembly be and the same is hereby amended by striking out of line two (2) thereof the word and figure "three (3)" and inserting in lieu thereof the word and figure "five (5)", and by striking out of line six thereof the words and figures "one thousand (1,000)" and inserting in lieu thereof the words and figures "fifteen hundred (1500)".

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.

JOS. MATTES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 549, a bill for an act appropriating a certain sum of money to A. S. Perryman, the said amount being the unearned license fee paid by said A. S. Perryman; beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOS. MATTES,
Chairman.

Senator Mattes moved the adoption of the report of the committee.

Adopted.

So the bill was indefinitely postponed.

Senator Allen moved that the memorial exercises be postponed until tomorrow evening.

Carried.

Senator McColl, from the committee on Banks and Banking, returned to the Senate, House File No. 133, and Senate Files Nos. 101, 526, 264 and 402, which were referred to the Sifting committee.

Senator Smith, from the committee on Telegraph and Telephones, returned to the Senate, House File No. 308, which was referred to the Sifting committee.

Senator Sullivan, from the Committee on Cities and Towns, returned to the Senate, House File No. 659, which was referred to the Sifting committee.

Senator Neal, from the committee on Military, returned to the Senate, House File No. 458, which was referred to the Sifting committee.

Senator Chase, from the committee on Corporations, returned to the Senate, House File No. 491, and Senate File No. 51, which were referred to the Sifting committee.

Senator Quigley, from the committee on Fish and Game, returned to the Senate, House File No. 406, which was referred to the Sifting committee.

Senator Francis, from the committee on Judiciary, returned to the Senate, House Files Nos. 518, 404, 451, 506, 608, 611, 677, 671 and 594, which were referred to the Sifting committee.

Senator Boe, from the committee on Public Libraries, returned to the Senate, House File No. 184, which was referred to the Sifting committee.

Senator Mattes, from the committee on the Suppression of Intemperance, returned to the Senate, House Files Nos. 471 and 368, which were referred to the Sifting committee.

Senator Farr, from the committee on Horticulture and Forestry, returned to the Senate, Senate File No. 535, which was referred to the Sifting committee.

Senator Hilsinger of the committee on Board of Control and its Institutions returned to the Senate, Senate File No. 371, which was referred o the Sifting committee.

Senator Allen, from the committee on Ways and Means, returned to the Senate, House Files Nos. 545, 515, 511, and Senate File No. 478, which were referred to the Sifting committee.

Senator Mattes, from the committee on the Suppression of Intemperance, returned to the Senate, Senate Files Nos. 532 and 438, which were referred to the Sifting committee.

Senator Darrah, from the Committee on Elections, returned to the Senate, House Files Nos. 378 and 273, and Senate Files Nos. 202, 31 and 468, which were referred to the Sifting committee.

Senator Larrabee, from the committee on Railroads, returned to the Senate, House Files Nos. 113, 543, 502, 361, 271 and 10, also Senate Files Nos. 400 and 464, which were referred to the Sifting committee.

Senator Legel, from the committee on Pharmacy, returned to the Senate, House File No. 547, and Senate File No. 519, which were referred to the Sifting committee.

Senator Balkema, from the committee on Roads and Highways, returned to the Senate, Senate Files, Nos. 489, 128, 420, 458, and House File No. 528, House Joint Resolution No. 15, which were referred to the Sifting committee.

Senator Doran, from the committee on Labor, returned to the Senate, Senate Files Nos. 441, 497, 138 and 521, which were referred to the Sifting committee.

Senator Sullivan, from the committee on Cities and Towns, returned to the Senate, House Files Nos. 492, 379, 431, which were referred to the Sifting committee.

Senator DeWolf, from the committee on Food and Dairy, returned to the Senate, Senate Files Nos. 45, 58, 253, 78, 409, and House Files Nos. 49, 302, 441, 33, which were referred to the Sifting committee.

Senator Fellows, from the committee on Commerce and Trade, returned to the Senate, Senate File No. 332, which was referred to the Sifting committee.

Senator Ames, from the committee on Agriculture, returned to the Senate, House Files Nos. 461 and 481, which were referred to the Sifting committee.

Senator Jewell, from the committee on Public Health, returned to the Senate, Senate File No. 485, which was referred to the Sifting committee.

Senator Savage, from the committee on Schools, returned to the Senate, House File No. 413, which was referred to the Sifting committee.

Senator Nye, from the committee on Claims, returned to the Senate, Senate File No. 242, which was referred to the Sifting committee.

Senator Robinson, from the Committee on Congressional and Judicial Districts, returned to the Senate, Senate File No. 287, which was referred to the Sifting committee.

Senator Smith moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, APRIL 10, 1913.

Senate met in regular session at 9 o'clock A. M.

President Harding presiding.

Prayer was offered by Rev. J. E. Cummings, Council Bluffs, Iowa.

PETITIONS AN MEMORIALS.

Senator Ream presented a remonstrance of citizens of Mahaska county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Larrabee presented a remonstrance of citizens of Calhoun county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Robinson presented a remonstrance of citizens of Chapin and Sheffield, protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Taylor presented a remonstrance of citizens of Keosauqua, Milton and Bonaparte, protesting against House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

INTRODUCTION OF BILLS.

By committee on Appropriations, Senate File No. 549.

A BILL for an Act Making Appropriation for the Purchase of Twenty Thousand (20,000) Copies of the Railroad Commissioners' Official Maps to be Distributed by the Members of the General Assembly, the Department of Public Instruction and Railroad Commissioners.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. The railroad commissioners are hereby instructed to procure twenty thousand (20,000) copies of the railroad commissioners official maps of Iowa, seventeen thousand (17,000) of said maps to be printed on heavy paper, mounted and with tap sides, and three thousand (3,000) of said maps to be folded and enclosed in suitable envelopes; thirty (30) of the mounted maps to be delivered on request to each member of the General Assembly, three thousand (3,000) to be distributed by the department of public instruction of the public schools of the state, and the remainder to be distributed under the direction of the railroad commissioners.

Sec. 2. There is hereby appropriated out of the moneys not otherwise appropriated, the sum of four thousand ($4,000.00) dollars, or so much thereof as shall be necessary for the purpose herein stated.

Sec. 3. This act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in the Register and Leader and the Des Moines Daily News, newspapers published at Des Moines, Iowa.

Read first and second time and placed on the calendar.

HOUSE MESSAGE CONSIDERED.

House Joint Resolution No. 10, substitute for House joint resolution amending Senate Joint Resolution number one (1) of the Thirty-fifth General Assembly, relating to the compensation of additional employees of the Thirty-fifth General Assembly.

Passed on file.

Senate File No. 539, a bill for an act to amend section twenty-four hundred forty-eight, paragraph nine (2449-9) of the supplement to the code, 1907, regulating the hours of the day during which liquor may be sold in saloons.

Passed on file.

Senator Robinson moved that the request of the House for return of Senate File No. 539 be granted.

Carried.

Senator Wilson of Appanoose offered the following resolution, which was read and ordered printed in the Journal:

To Hon. W. L. Harding, Presiding Officer of the Senate of the Thirty-fifth General Assembly, and the Members of said body:

We, the surviving comrades of our friend and co-employe, Daniel L. Castle, beg leave to testify our appreciation of the action of the Senate in recognizing the life and services of our departed comrade, in the manner in which they acted. We shall cherish the recollection of the action of the Senate during the remaining days of our existence, and trust that the favor of divine providence may rest upon the members of this body during their lifetime.

W. A. DUCKWORTH,
A. J. RHODES,
J. W. HALL,
G. W. ARMSTRONG,
J. H. FUNK,
J. F. OFFILL,
M. V. CARPENTER,
A. CARTER,
L. L. COUSE,
J. H. HENSAL,
J. B. CARMEN,
F. R. THURBER,
G. W. TRUDE,
H. JOHNSON,
A. C. HENDERSON,
JNO. W. COX,
H. V. GRIFFIN,
W. C. PUGH,
GEO. D. THOMAS,
JOHN TROUTNER,
O. C. RIDDLE,
A. F. LOOMIS,
A. J. PATRICK,
A. H. MOTT,
J. A. WARRINGTON,
H. ARMSTRONG,
A. M. MAY,

THIRD READING OF BILLS.

On motion of Senator Smith, Senate File No. 426, a bill for an act to repeal section three hundred thirteen (313) of the code and to enact a substitute therefor, relating to the admission to the practice of law in this state of attorneys having been duly admitted to practice in other states, was taken up, and considered.

Senator Smith moved that the Senate concur in the following House amendment:

Amend by striking out section 2, the publication clause.

On the question, "Shall the Senate concur in the House amendment?"

The ayes were:

Allen, Balkema, Balluff, Boe, Chase, Crow, Darrah, Dunnegan, Farr, Fellows, Gillette, Hilsinger, Larrabee, Legel, Mattes, McColl, Nye, Quigley, Ream, Rabinson, Schrup, Sheean, Smith, Spaulding, Thomas, Wilson of Appanoose, Wilson of Clinton—27.

The nays were:

None.

Absent or not voting:

Ames, Arney, Clarkson, Cowles, Crist, DeWolf, Doran, Francis, Garrett, Hagemann, Heald, Jewell, Jones, Kimball, Malmberg, McManus, Neal, Perkins, Savage, Sullivan, Taylor, Webber, White—23.

So the House amendment having received a constitutional majority was declared concurred in.

On motion of Senator Hilsinger, Senate File No. 466, a bill for an act to authorize the board of supervisors of each county in this state to make provision for the segregation, care and support of indigent persons afflicted with pulmonary tuberculosis in advanced ages, was taken up, and considered.

Senator Hilsinger moved that the Senate concur in the following House amendments:

House amendment: That section 1 of Senate File 466 be amended by adding, following the word "week" in line 11 of section 1 of the bill, the following: "Provided that in counties of fifteen thousand, or over, population, a sum not to exceed five thousand dollars ($5,000.00), and in counties of less than fifteen thousand population a sum not to exceed two thousand dollars ($2,000.00) may be appropriated for constructing, acquiring and equipping buildings without a vote of the qualified electors. The board of supervisors may submit the question of expending a greater amount than above specified to a vote of the people at any general election, and may for such purposes expend the amount by said vote authorized.

On the question, "Shall the Senate concur in the House amendments:

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Crow, Darrah, Doran, Dunnegan, Fellows, Gillette, Hilsinger, Jones, Larrabee, Malmberg, Mattes, McColl, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Ames, Chase, Clarkson, Cowles, Crist, DeWolf, Farr, Francis, Garrett, Hagemann, Heald, Jewell, Kimball, Legel, McManus, Neal, Perkins, Savage, Smith, White—20.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator Hilsinger, Senate File No. 250, a bill for an act to repeal sections two (2), six (6), seven (7), eight (8), eleven (11), fifteen (15), sixteen (16), and twenty-two (22), of chapter seventy-two (72), of the acts of the Thirty-fourth General Assembly, and to enact substitutes therefor relating to the registration and regulation of motor vehicles, was taken up, and considered.

Senator Hilsinger moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS.

That section 1 of the original bill be amended by striking out all of line 5 after the word "ambulances" and all of line 6 preceeding the word "and" and that section 1 be further amended by inserting in line 19 following the word "vehicles" the following: "which have a speed capacity of not more than 10 miles per hour," and in the same line by striking out the words "as may" and inserting in lieu thereof the following: "and which shall".

Amend section four (4) by striking from lines fifteen (15) twenty-two (22) and twenty-eight (28) the word "September" inserting in lieu thereof the word "August".

The section 5, line 7, be amended by striking out the words "a placard" and inserting the following words "metal number plates to be furnished by the secretary of state to the dealer as provided in section 15."

That section 6, line 27, be amended by inserting after the word "duplicate" the word "set".

Amend section six (6) by adding thereto the following: "but no dealer or manufacturer shall be required to keep more than one car registered for his private use".

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Gillette, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Nye, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Clarkson, Cowles, Crist, DeWolf, Farr, Garrett, Hagemann, Heald, Jewell, Legel, McManus, Neal, Perkins, Quigley, Savage, White—16.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator Francis, Senate File No. 295, a bill for an act to amend the law as it appears in section nine (9), chapter one hundred fifty-three (153), acts of the Thirty-third General Assembly, relating to the protection of fish and game; and to amend the law as it appears in chapter one hundred sixteen (116) of the acts of the Thirty-fourth General Assembly, relating to the compensation of the fish and game warden, was taken up, and considered.

Senator Francis moved that the Senate concur in the following House amendments:

HOUSE AMENDMENT.

Amend by striking the word "said" from line 4 of section 2 and inserting the word and figure "one (1)" immediately following the word "section" in same line. Also strike out "twenty-four hundred dollars (2400.00)" in last line of section 2 and insert in lieu thereof "eighteen hundred dollars ($1800.00)."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Doran, Legel, Taylor, Webber—4.

The nays were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Crow, Darrah, Dunnegan, Fellows, Francis, Garrett, Gillette, Hilsinger, Malmberg, Mattes, McColl, Perkins, Ream, Robinson, Schrup, Sheean, Spaulding, Wilson of Clinton—24.

Absent or not voting:

Chase, Clarkson, Cowles, Crist, DeWolf, Farr, Hagemann, Heald, Jewell, Jones, Kimball, Larrabee, McManus, Neal, Nye, Quigley, Savage, Smith, Sullivan, Thomas, White, Wilson of Appanoose—22.

So the Senate refused to concur in House amendments:

On motion of Senator Mattes, Senate File No. 214, a bill for an act authorizing the executive council of Iowa to incur expenses and make expenditures to procure data, make investigation and provide things not otherwise provided to enable said executive council to perform the duties imposed by law, and making appropriation therefor, was taken up, and considered.

Senator Mattes moved that the Senate concur in the following House amendments:

HOUSE AMENDMENT.

Amend section 1, line 11, by striking out the words "Code Supplement" and inserting in lieu thereof the words "Supplement to the Code."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Hilsinger, Jones, Lar-

rabee, Malmberg, Mattes, McColl, Nye, Perkins, Robinson, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Arney, Clarkson, Cowles, Crist, DeWolf, Farr, Francis, Hagemann, Heald, Jewell, Kimball, Legel, McManus, Neal, Quigley, Ream, Savage, Schrup, Smith—19.

So the House amendments having received a constitutional majority were declared concurred in.

REPORTS OF COMMITTEE.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 266, a bill for an act to amend sections twenty-six (26) and forty-three (43) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly, relating to armory rent, and making an appropriation therefor; beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate File No. 522, a bill for an act to establish an insurance department, providing for an insurance commissioner, defining his duties, fixing his compensation and determining his term of office; beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Strike out in the eighteenth and nineteenth (18th and 19th) lines of section one (1) the words and figures "forty-five hundred dollars ($4500.00)" and insert in lieu thereof the words and figures "three thousand dollars ($3,000.00)"; also strike out in line four (4) of section three (3) the words and figures "twenty-four hundred dollars ($2400.00)"

and insert in lieu thereof the words and figures "eighteen hundred dollars ($1800.00)"; also strike out in the fifteenth (15) line of section three (3) the words and figures "eighteen hundred dollars ($1800.00)" and insert in lieu thereof the words and figures "sixteen hundred dollars ($1600.00)"; also strike out of line sixteen (16) in section three (3) the words and figures "fifteen hundred dollars ($1500.00)" and insert in lieu thereof the words and figures "fourteen hunded dollars ($1400.00"; also strike out in lines twenty-five (25) and twenty-six (26) of section three (3) the words and figures "two thousand dollars ($2,000.00)" and insert in lieu thereof the words and figures "one thousand dollars ($1,000.00)"; and when so amended the bill do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Neal, Senate File No. 265, a bill for an act providing for the deposit by state and savings banks with the treasurer of the United States of securities to secure postal savings deposits made in such banks under the provisions of the postal savings bank act.

Senator Neal 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 ayes were:

Allen, Arney, Balkema, Boe, Chase, Darrah, Doran, Dunnegan, Farr, Fellows, Gillette, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Smith, Sullivan, Taylor, Thomas, Webber, White—31.

The nays were:

Balluff, Spaulding, Wilson of Appanoose—3.

Absent or not voting:

Ames, Clarkson, Cowles, Crist, Crow, DeWolf, Francis, Garrett, Hagemann, Heald, Jewell, McManus, Savage, Schrup, Sheean, Wilson of Clinton—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Neal, House File No. 266, a bill for an act to amend sections twenty-six (26) and forty-three (43), of chapter one hundred thirty-one (131), of the acts of the Thirty-third General Assembly, relating to armory rent, and making an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Neal 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 ayes were:

Allen, Balkema, Boe, Chase, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Ames, Arney, Balluff, Clarkson, Cowles, Crist, DeWolf, Francis, Hagemann, Heald, McManus, Savage—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

By unanimous consent, Senator Neal withdrew Senate File No. 182 from further consideration by the Senate.

Senator Thomas asked unanimous consent to withdraw the motion filed by him on April 7th, to reconsider the vote by which House File No. 340 passed the Senate.

Consent granted.

THIRD READING OF BILLS.

On motion of Senator Chase, Senate File No. 82, a bill for an act to provide additional chairs in the college of homeopathic medicine of the state university of Iowa, additional to chapter 168, of the acts of the sixteenth General Assembly, with report of committee recommending indefinite postponement, was taken up, and considered.

Further consideration postponed.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 110, providing for nomination of district judges in judicial districts composed wholly of one county and having a population of 75,000 or more at the primary election.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 115, a bill for an act relating to the maintenance of certain institutions of benevolence, including hospitals.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 588, a bill for an act to amend section 2540 of the Supplement to the Code, 1907, as amended by chapter 153 of the acts of the Thirty-third General Assembly, relating to the taking of fish by the use of spear, except during certain months.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended by substitute amendment and passed the following bill in which the concurrence of the House was asked:

Senate File No. 267, a bill for an act to amend section 2077-a, Supplement to the Code, 1907, as amended by chapter 125, of the acts of the Thirty-third General Assembly, relating to the posting of bulletins at railway stations.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended by substitute amendment and passed the following bill in which the concurrence of the House was asked:

Senate File No. 417, a bill for an act providing for the election of United States senators by a vote of the people.

A. C. GUSTAFSON,
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 N. 233, a bill for an act to provide for the election of delegates to national conventions of political parties.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 331, a bill for an act to repeal section 2792 of the Code, relating to the restoration of the territory to the school district from which it has been taken (and enact the following in lieu thereof).

A. C. GUSTAFSON,
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. 196, a bill for an act to repeal the law as it appears in section 2727-a-85 of the Supplement to the Code, 1907, etc., relating to the support of the state sanatorium for treatment of tuberculosis.

A. C. GUSTAFSON,
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. 142, a bill for an act to repeal chapter 137, of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor relating to the support of the industrial schools.

A. C. GUSTAFSON,
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. 541, a bill for an act regulating the appointment and defining the powers and duties of the state board of education, etc., amending sections 1 and 4, chapter 170 of the laws of the Thirty-third General Assembly.

A. C. GUSTAFSON,
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. 259, a bill for an act to repeal section 2308-a of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the payment of costs and expenses of non-resident insane patients.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

The time having arrived for Special Order Senate File No. 389, a bill for an act authorizing the Board of Arbitration and Conciliation for the settlement of disputes between the employers and employees, providing he powers, duties and compensation of such board, and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making appropriations therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Sullivan moved the adoption of the following amendment:

"By striking out the period after the word "application" in line 16 of section 1, and inserting a comma and by the addition of the following: "provided that an arbitration board shall not be appointed in any case of dispute between any employers and employees who are working under a trade agreement or who may be seeking to renew such agreement, unless written application be made for its appointment by the official representative of both such employers and employees."

Senator Kimball offered the following amendment to the amendment offered by the committee and moved its adoption:

I move to amend the amendment by striking out the last clause thereof beginning with the word "unless" in the third line from the last.

Lost.

On the adoption of the amendment offered by the committee of Labor a roll call was demanded.

Those favoring the amendment were:

Chase, Clarkson, Darrah, Doran, Garrett, Legel, Malmberg, McColl, Neal, Nye, Ream, Savage, Sheean, Webber, White, Wilson of Appanoose—16.

The nays were:

Allen, Ames, Arney, Balkema, Boe, Crist, DeWolf, Fellows, Hilsinger, Kimball, Larrabee, Mattes, Perkins, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Clinton—19.

Absent or not voting:

Balluff, Cowles, Crow, Dunnegan, Farr, Francis, Gillette, Hagemann, Heald, Jewell, Jones, McManus, Quigley, Robinson, Schrup —15.

So the amendment was lost.

Senator Sullivan offered the following amendment and moved its adoption:

I move to amend section one (1) of Senate File No. 389 by inserting after the word "earners" in the third (3d) line the following "except those engaged in trades, crafts or occupations which have mutually recognized arbitration contracts or agreements with their employers."

Senator Clarkson offered the following amendment as a substitute for the amendment offered by Senator Sullivan and moved its adoption:

I move to amend the bill by adding after the words "state" and before the word "which" in line 2, section 1, of the printed bill, the following: "except employers and employees having trade relations directly or indirectly based upon interstate trade relations operating through or by state or internaional boards of conciliation."

Adopted.

The amendment as substituted was adopted.

Senator Doran offered the following amendment and moved its adoption:

I move to amend section 7 by adding the words "one year" after the word "of" in the sixth line, and by striking all of the remainder of said section.

Adopted.

President Pro Tem Savage was called to the chair at 10:45 A. M.

Senator Sullivan 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.

Senator Ream moved that further consideration of the bill be postponed and that the bill be made a special order for 10 o'clock A. M. tomorrow.

Declared out of order as Senate had ordered third reading and roll call.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Crist, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Gillette, Hilsinger, Jewell, Kimball, Larrabee, Legel, Mattes, McColl, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Clinton—33.

The nays were:

Chase, Crow, Farr, Garrett, Malmberg, Ream, Sheean, Spaulding, Wilson of Appanoose—9.

Absent or not voting:

Balluff, Clarkson, Cowles, Hagemann, Heald, Jones, McManus, Savage—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Sullivan called up for consideration the House concurrent resolution relative to the purchasing of a chair and gavel for the Speaker of the House and President of the Senate, and moved its adoption.

Adopted.

President Pro Tem Savage appointed as such committee on the part of the Senate, Senators Sullivan and Clarkson.

THIRD READING OF BILLS.

The time having arrived for Special Order Senate File No. 3, a bill for an act to provide, secure and pay compensation for employees who sustain personal injury while in line of duty, was taken up and considered.

On the motion of Senator Hagemann to lay the substitute for Senate File No. 3 offered by Senator Farr on the table a roll call was demanded.

Those favoring the motion were:

Cowles, Dunnegan, Hagemann, Jewell, Kimball, White—6.

The nays were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Gillette, Hilsinger, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Thomas, Webber, Wilson of Appanoose—33.

Absent or not voting:

Balluff, Farr, Heald, Jones, McManus, Quigley, Savage, Spaulding, Taylor, Wilson of Clinton—11.

So the motion was lost.

Senator Kimball offered the following motion and moved its adoption:

"I move that the original bill and substitute and amendments be referred to a select committee of five to serve without compensation except actual expenses and report at the next session of this Senate."

Senator Mattes offered the following amendment to the motion of Senator Kimball and moved its adoption:

"Amend by adding after the word 'expenses' the following: 'not to exceed $1000.00.' "

Adopted.

On the adoption of the motion as amended a roll call was demanded.

Those favoring the motion were:

None.

The nays were:

Allen, Ames, Balkema, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Francis, Garrett, Gillette, Hilsinger, Jewell, Larrabee, Legel, Malmberg, McColl, Neal, Perkins, Quigley, Robinson, Smith, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose—29.

Absent or not voting:

Arney, Balluff, Boe, Cowles, Dunnegan, Farr, Fellows, Hagemann, Heald, Jones, Kimball, Mattes, McManus, Nye, Ream, Savage, Schrup, Sheean, Taylor, White, Wilson of Clinton—21.

So the motion was lost.

On the substitute offered by Senator Farr appearing in Journal of April 8th, pages 1817 to 1831 inclusive, a roll call was demanded.

Those favoring the adoption of the substitute were:

Farr, Legel, White—3.

The nays were:

Allen, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Dewolf, Doran, Francis, Garrett, Gillette, Hilsinger, Jones, Larrabee, Malmberg, McColl, Neal, Nye, Perkins, Ream, Robinson, Smith, Sullivan, Webber, Wilson of Appanoose, Wilson of Clinton—28.

Absent or not voting:

Ames, Balluff, Cowles, Crow, Dunnegan, Fellows, Hagemann, Heald, Jewell, Kimball, Mattes, McManus, Quigley, Savage, Schrup, Sheean, Spaulding, Taylor, Thomas—19.

So the substitute was lost.

President Harding resumed the chair at 11:15 A. M.

Senator Smith offered the following amendment and moved its adoption:

I move to amend Senate File No. 3 by striking from the third line of section 2 thereof the words: "where intoxication of the employee was the approximate cause of the injury," as inserted therein by the amend-

ment adopted on April 9th, and substituting therefor the words "while intoxicated, or where the employee was addicted to the habitual use of intoxicating liquors."

Lost.

Senator Smith offered the following amendment and moved its adoption:

I move to strike out section 20 and substitute the following in lieu thereof:

In all cases where an employee becomes entitled to compensation for injuries received within the meaning of this act and to which this act applies, the employee shall have a first and prior lien for the amount thereof upon all property of the employer liable therefor paramount to all other claims excepting for wages and taxes and other liens existing on the date on which the injury occurred.

Withdrawn.

Senator Smith offered the following amendment and moved its adoption:

I move to amend Senate Bill No. 3 as amended, as follows: Strike out all of section 20 of said bill and amendments thereto and then renumber the sections of the bill to correspond.

Senator Clarkson offered the following amendment as a substitute for the amendment offered by Senator Smith:

Strike out of the pending bill all of section 20, beginning with the words "in" in the first line, to and including the word "act" and substituting therefor the following: "Any compensation awarded an injured employee under this act shall constitute a first lien upon all property or rights of the employer liable therefor paramount to all other claims except for wages and taxes and liens of record upon the date on which the injury occurred."

Amendment withdrawn.

The amendment offered by Senator Smith was adopted.

Senator Smith offered the following amendment and moved its adoption:

I move to amend section 33 of Senate File No. 3 as follows:

Strike out all of section 33 from and including the words "and in the event" in the seventh line of said section.

Adopted.

Senator Spaulding offered the following amendment and moved its adoption.

I move to amend section one (1), sub-division a as amended by striking out all of said sub-division following the word "injury" in the ninth (9th) line of the amended bill.

Lost.

Senator Dunnegan moved that the Senate as now adjourn until 1:30 P. M. today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P. M.

President Harding presiding.

PETITIONS AND MEMORIALS.

Senator Crow presented remonstrance of citizens of Monona county opposing a permanent tax commission.

Referred to committee on Ways and Means.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 3, a bill for an act to provide, secure and pay compensation for employes who sustain personal injury while in line of duty.

Senator Clarkson offered the following amendment and moved its adoption:

Section 21. No claim of an attorney-at-law for services in securing a recovery under this act shall be an enforcible lien thereon unless the amount of the same be approved in writing by a judge of a court of record or the Iowa industrial commission, which approval may be made in term time or vacation.

Adopted.

Senator Mattes offered the following amendment and moved its adoption:

I move to amend by striking out all of section 24 and substituting in lieu thereof the following:

Sec. 23. There is hereby created the office of Iowa industrial commissioner, to be appointed by the governor, by and with the consent of the Senate. The term of office of the commissioner shall be six years. An appointment may be made to fill a vacancy or otherwise when the Senate is not in session, but shall be acted upon at the next session thereof.

Adopted.

Senator Mattes offered the following amendment and moved its adoption:

I move to amend by striking out all of section 24 and substituting in lieu thereof the following:

Sec. 24. The salary and actual necessary expenses of the commissioner shall be paid by the state, and he shall be provided with adequate and necessary office rooms, furniture, equipment, supplies and other necessaries in the transaction of the business. The salary of the commissioner shall be three thousand dollars ($3,000.00) per annum. The commissioner may fix the salary and appoint a secretary and other assistants and clerical help as may be required and needed, provided, that the salary of the secretary shall not exceed fifteen hundred dollars ($1,500.00) per annum. The salary and actual personal expense account of the commissioner shall be itemized and sworn to, and filed as other current bills as provided by statute, and warrant therefor shall be issued by the auditor upon the treasurer of the state for the payment thereof at the end of each calendar month; provided, however, that the expense account may be audited, allowed and paid at the end of each week. The commissioner shall provide himself with a seal, which shall be used to authenticate his orders, decisions and other proceedings deemed necessary, upon which shall be inscribed the words "Iowa Industrial Commission's Seal" and the date of organization. All other accounts made by, through or under the commissioner for salaries, expenditures, unless otherwise by this act provided, shall be itemized and sworn to by the parties entitled thereto, audited by the commissioner, attested by the secretary, filed as other bills are required by statute, and a warrant shall issue therefor by the auditor of state upon the treasurer(who shall pay the same out of the funds appropriated for the use of the commissioner as by this act provided. The salaries of all persons under the commissioner shall be audited, allowed and paid at the end of each month, and expense accounts may be audited, allowed and paid at the end of each week. The commissioner shall have the power to remove the secretary or any other person appointed to an office by him at any time the commissioner may see fit.

It shall be unlawful for any appointee by the commissioner to espouse the election or appointment of any candidate for or to any political office, or contribute to the campaign fund of any political party or to the campaign fund of any person who is a candidate for election or appointment to any political office, and any person performing the duties as an appointee under the commissioner violating the provisions of this act shall be sufficient cause for dismissal and removal from office.

Before entering upon his duties the commissioner shall qualify by taking oath of his office that he will support the constitution of the United States and of the state of Iowa, and will faithfully and impartially, without fraud, fear or favor, discharge the duties of his office incumbent upon him, as provided by the law of the state of Iowa, to the best of his ability and understanding.

There is hereby appropriated out of any money not otherwise appropriated for the use of the commissioner, as contemplated within the terms of this act or acts amendatory thereof, or other statutes relating to the commissioner, his duties and responsibilities empowered by law, the sum of ten thousand dollars ($10,000.00) annually, and in addition thereto the executive council shall provide and furnish the commissioner with such printing as may be necessary in the transaction of the business within the contemplation of law.

Senator Clarkson offered the following amendment to the amendment offered by Senator Mattes and moved its adoption:

Strike out the words and figures "three thousand ($3,000.00) and insert the words and figures "thirty-six hundred ($3,600.00)" and strike out the words and figures "ten thousand ($10,000.00)" and insert in lieu thereof the words and figures "twenty thousand dollars ($20,000.00)."

Senator Mattes asked to have the amendment divided and that the vote be taken on the first section.

The President divided the amendment and offered the first section for consideration.

Lost.

The second section was then submitted for consideration.

Amendment lost.

The amendment offered by Senator Mattes was adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend paragraph a, section 17, by striking from the same all that part of said paragraph "a" after the period following the word "employer" in the fifth line of the printed bill, down to and including the word "employed" in line eight.

Adopted.

Senator Smith offered the following amendment and moved its adoption:

I move to amend Senate File No. 3 as follows:

Remove the period (.) at the end of sub-division "(a)" section 1, and substitute a comma (,) therefor, and then add the following:

"Nor to any employer or employee in any contract between an employer and employee, as in this act defined, in effect when this act becomes a law where such employer or employee, or both of them, within thirty days after the taking effect of this act shall give written noitice of his or their refusal to come under the provisions of this act and cause the same to be served and posted in the form, substance and manner as provided for notice in sub-division 4 of this section and sub-division (b) of section 3 of this act."

Amendment adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend Senate File No. 3 by striking out sub-division "c" of section 7.

Adopted.

Senator Clarkson offered the following amendment and moved its adoption:

Strike from the amendment the words "employers' indemnity association" wherever the same appears in the amendment to section 37, adopted April ...., and strike from said amendment at the end thereof the following words, "employers' indemnity association fund to become a part thereof" and substitute the following: "state treasury."

Adopted.

Senator Clarkson offered the following amendment and moved its adoption:

Strike from section 44 of the bill the words "insurance department" as the same appear in line 10, Senate journal, page 1687, and substitute therefor the words "Iowa industrial commissioner."

Adopted.

Senator Clarkson offered the following amendment and moved its adoption:

Strike out of lines one and two, section 45, the words "department of insurance" as the same appears printed in Senate journal, page 1688, and substitute therefor the words, "Iowa industrial commissioner."

Adopted.

Senator Clarkson offered the following amendment and moved its adoption:

Strike from lines one and two, section 46 of the bill printed in Senate journal, page 1688, the words "insurance department" and substitute therefor the words "Iowa industrial commissioner" and strike from line 6 of said section the words "industrial department" and substitute therefor the words, "Iowa industrial commissioner."

Adopted.

Senator Webber offered the following amendments and moved their adoption:

I move to amend Senate File No. 3 as follows:

Amend section 25 by changing the word "commission" wherever it appears in said section and insert in its place the word "commissioner"; also amend sections 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41 of the printed bill with all amendments, by changing the word "commission" to "commissioner wherever the same appears in said sections; also amend section 27 by striking from line 5 thereof the words "a member of"; also amend section 29 by striking from lines 3 and 4 thereof the words "designate one of its members to"; amend sections 31 and 32 by striking from lines 2 and 3 the words "or any member thereof"; amend section 39 by striking from line one thereof the words "any member of"; amend section 40 by striking from line 2 thereof the words "a member of the"; amend section 41 by striking from line 2 the words "a member of"; amend section 42 by striking from line 1 thereof the words "any member of."

Adopted.

Senator Clarkson offered the following amendment and moved its adoption:

I move as an amendment to the bill to be section 50 of the bill, the following:

Part one of this act shall take effect from and after January 1, 1914, and parts two and three July 4, 1913.

And any employer or employee who serves the notice to reject the terms of the act as by the act provided not less than thirty days before part one thereof took effect, such notice shall have the same force and effect as though part one had taken effect July 4, 1913.

Adopted.

Senator Perkins moved that Senate File No. 3 as amended be printed in the Journal, and that it be made a Special Order for Saturday at 10 o'clock A. M.

Senator Clarkson moved to amend the motion to read 2 P. M. Friday.

Carried.

Motion as amended prevailed.

SENATE FILE NO. 3..

A BILL for an Act Relating to Employers' Liability for Personal Injury Sustained by Employes in Line of Duty, Fixing Compensation Therefor, Securing the Payment Thereof by Indemnity Insurance, Creating a Board of Directors for the Management Thereof, Defining Their Powers and Duties Relating Thereto, Providing for the Appointment of Three Commissioners, and Defining Their Power and Duties.

Be it Enacted by the General Assembly of the State of Iowa:

Section One: (a) Except as by this act otherwise provided, it shall be conclusively presumed that every employer as defined by this act has elected to provide, secure and pay compensation according to the terms, conditions, and provisions of this act for any and all personal injuries sustained by an employe arising out of and in the course of the employment; and in such cases the employer shall be relieved from other liability for recovery of damages or other compensation for such personal injury, unless by the terms of this act otherwise provided; but this act shall not apply to any household or domestic servant, farm or other laborer engaged in agricultural pursuits, nor persons whose employment is of a casual nature.

(b) Where the state, county, municipal corporation, school district, cities under special charter and commission form of government is the employer, the terms, conditions and provisions of this act for the payment of compensation and amount thereof for such injury sustained by an employe of such employer shall be exclusive, compulsory and obligatory upon both employer and employee.

(c) An employer having the right under the provisions of this act to elect to reject the terms, conditions and provisions thereof and in

such case exercises the right in the manner and form by this act provided, such employer shall not escape liability for personal injury sustained by an employe of such employer when the injury sustained arises out of and in the usual course of the employment because:

(1) The employe assumed the risks inherent in or incidental to or arising out of his or her employment; or the risks arising from the failure of the employer to provide and maintain a reasonably safe place to work, or the risks arising from the failure of the employer to furnish reasonably safe tools or appliances, or because the employer exercised reasonable care in selecting reasonably competent employes in the business;

(2) That the injury was caused by the negligence of a co-employe.

(3) That the employe was negligent unless and except it shall appear that such negligence was wilful and with intent to cause the injury; or the result of intoxication on the part of the injured party.

(4) In actions by an employe against an employer for personal injury sustained arising out of and in the course of the employment where the employer has elected to reject the provisions of this act, it shall be presumed that the injury to the employe was the direct result and growing out of the negligence of the employer; and that such negligence was the proximate cause of the injury; and in such cases the burden of proof shall rest upon the employer to rebut the presumption of negligence.

Every such employer shall be conclusively presumed to have elected to provide, secure and pay compensation to employes for injuries sustained arising out of and in the course of the employment according to the provisions of this act, unless and until notice in writing of an election to the contrary shall have been given to the employes by posting the same in some conspicuous place at the place where the business is carried on, and also by filing notice with the Iowa Industrial commissioner with return thereon by affidavit showing the date that notice was posted as by this act provided. Provided, however, that such employer shall not be relieved of the payment of compensation as by this act provided until thirty days after the filing of such notice with the Iowa Industrial Commissioner which notice shall be substantially in the following form:

EMPLOYERS' NOTICE TO REJECT.

To the employes of the undersigned, and the Iowa Industrial Commissioner:

You and each of you are hereby notified that the undersigned rejects the terms, conditions and provisions to provide, secure and pay compensation to employes of the undersigned for injuries received as provided in the acts of the (.....) General Assembly

known as chapter (.....) and elects to pay damages for personal injuries received by such employe under the common law and statutes of this state modified by subdivisions one, two, three and four of section one, chapter (.....) of the acts of the (.....) General Assembly and acts amendatory thereto.

Signed.....

State of Iowa }
ss.
.....County. }

The undersigned being first duly sworn deposes and says that a true, corret and verbatim copy of the foregoing notice was on the .....day of....., 19...., posted at.....
.....
(State fully place where posted.)

.....

Subscribed and sworn to before me by.....
this.....day of....., 19....

.....

Notary Public.

The employer shall keep such notice posted in some conspicuous place which shall apply to the employes subsequently employed by the employer with the same force and effect and to the same extent and in like manner as employes in the employ at the time the notice was given.

Where the employer and employe have not given notice of an election to reject the terms of this act, every contract of hire express or implied, shall be construed as an implied agreement between them and a part of the contract on the part of the employer to provide, secure and pay, and on the part of the employe to accept compensation in the manner as by this act provided for all personal injuries sustained arising out of and in the course of the employment.

Sec. 2.. No compensation under this act shall be allowed for an injury caused.

(a) By the employe's wilful intention to injure himself or to wilfully injure another; nor shall compensation be paid to an injured employe if injury is sustained where intoxication of the employe was the proximate cause of the injury.

Sec. 3. (a) The rights and remedies provided in this act for an employe on account of an injury shall be exclusive of all other rights and remedies of such employe, his personal or legal representatives, dependents or next of kin, at common law or otherwise on account of such injury; and all employes affected by this act shall be conclusively presumed to have elected to take compensation in accordance with

the terms, conditions and provisions of this act until notice in writing shall have been served upon his employer; and also on the Iowa Industrial commissioner with return thereon by affidavit showing the date upon which notice was served upon the employer.

(b) In the event such employe elects to reject the terms, conditions and provisions of this act, the rights and remedies thereof shall not apply where an employe brings an action or takes proceedings to recover damages or compensation for injuries received growing out of and in the course of his employment, except as otherwise provided by this act; and in such actions where the employe has rejected the terms of this act the employer shall have the right to plead and rely upon any and all defenses including those at common law, and the rules and defenses of contributory negligence, assumption of risk and fellow-servant shall apply and be available to the employer as by statute authorized unless otherwise provided in this act. Provided, however, that if an employe sustains an injury as the result of the employer's failure to furnish or failure to exercise reasonable care to keep or maintain any safety device required by statute or rule, or violation of any of the statutory provisions or rules and regulations now or hereafter in force relating to safety of employes, the doctrine of assumed risk in such case growing out of the negligence of the employer shall not apply or be available as defensive matter to such offending party. The notice required to be given by an employe shall be substantially in the following form:

EMPLOYES' NOTICE TO REJECT.

To .....and the Iowa Industrial Commissioner:
(Name of employer)

You and each of you are hereby notified that the undersigned hereby elects to reject the terms, conditions and provisions of an act for the payment of compensation as provided by the acts of the (.....) General Assembly and acts amendatory thereto, and elects to rely upon the common law as modified by section three of the acts of the (.....) General Assembly for the right to recover for personal injury which I may receive, if any, growing out of and arising from the employment while in line of duty for my employer above named.

Dated this ..... day of ....., 19....

Signed.....

State of Iowa,
ss.
.....County.

The undersigned being first duly sworn deposes and says that the written notice was on the.....day of....., 19...., served on the within named employer of the undersigned by

delivering to.....a true, correct and verbatim copy thereof.
.(Name of person served.).

.....

Subscribed and sworn (or affirmed) to before me by the said ....., this....day of....., 19....

.....
Notary Public.

In any case where an employe or one who is an applicant for employment elects to reject the terms, conditions, and provisions of this act, he shall, in addition to the notice required by subdivision (b) of section 3 of this act, state in an affidavit who, if any person, requested, suggested, or demands of such person to exercise the right to reject the provisions of this act. And if request, suggestion, or demand has been made of such employe by any person, such employe shall give and state the name of the person who made the request, suggestion, or demand, and all of the circumstances relating thereto, the date and place when and where made, and persons present, and if it be found that the employer of such employe, or an employer to whom an applicant for employment, or any person a member of the firm, association, corporation, or agent or official of such employer, made a request, suggestion, or demand of such employe or applicant for employment to reject the terms, conditions and provisions of this act, such request, suggestion, or demand if made under such conditions, shall be conclusively presumed to have been sufficient to have unduly influenced such employe or an applicant for employment to exercise the right to reject the terms of this act, and the rejection made under such circumstances shall be conclusively presumed to have been procured through fraud and thereby fraudulently procured, and such rejection shall be null and void and of no effect.

No person interested in the business of such employer, financially or otherwise, shall be permitted to administer the oath to the affidavit required in case an employe or applicant for employment elects to exercise the right to reject the provisions of this act. And the person administering such oath in making such affidavit, shall carefully read the notice and affidavit to such person making such rejection, and shall explain that the purpose of the notice is to bar such person from recovering compensation in accordance with the schedule and terms of this act in the event that he sustains an injury in the course of such employment. All of which shall be shown by certificate of the person administering the oath herein contemplated. The Industrial Commission, or any person acting for such commission, shall refuse to file the notice and affidavit, unless such notice, affidavit and certificate fully, and in detail, comply with the requirements hereof. And if such rejection, affidavit and certificate is found insufficient for any cause, shall be returned by mail or otherwise to the person who executed the instrument.

Sec. 4. (a) When the employer or employe has given notice in compliance with this act electing to reject the terms thereof, such election shall be for one year from date of becoming effective, and unless renewed within thirty days before the termination of one year as herein provided, it shall be conclusively presumed that such party has elected to waive the rejection made and come under the provisions of this act to provide, secure and pay or accept, as the case may be, the compensation herein provided until the contrary is shown by the service of notice anew electing to reject the provisions of this act as herein provided;

(b) When an employer or employe rejects the terms, conditions or provisions of this act, such party may at any time thereafter elect to waive the same by giving notice in writing in the same manner required of the party in electing to reject the provisions of the act and which shall become effective when filed with the Iowa Industrial Commission.

Sec. 5. Where the employer and employe elect to reject the terms, conditions and provisions of this act, the liability of the employer shall be the same as though the employe had not rejected the terms, conditions and provisions thereof.

Sec. 6. An employer having come under this act, who thereafter elects to reject the terms, conditions and provisions thereof, shall not be relieved from the payment of compensation to such employe who sustains an injury in the course of the employment before the election to reject becomes effective; and in such cases the employer shall be required to secure the payment of any compensation due or that may become due to such workman, subject to the approval of the Iowa Industrial Commission, and until approved, the notice given electing to reject shall have no force or effect.

Sec. 7. Where an employe coming under the provisions of this act receives an injury for which compensation is payable under this act and which injury was caused under circumstances creating a legal liability in some person other than the employer, to pay damages in respect thereof.

(a) The employe or beneficiary may take proceedings both against that person to recover damages and against the employer for compensation, but the amount of the compensation to which he is entitled under this act shall be reduced by the amount of damages recovered.

(b) If the employe or beneficiary in such case recovers compensation under this act, the employer by whom the compensation was paid or the party who has been called upon to pay the compensation, shall be entitled to indemnity from the person so liable to pay damages as aforesaid, and shall be subrogated to the rights of the employe to recover therefor.

Sec. 8. No contract, rule, regulation or device whatsoever shall operate to relieve the employer, in whole or in part, from any liability created by this act except as herein provided.

Sec. 9. Unless the employer or representative of such employer shall have actual knowledge of the occurrence of an injury, or unless the employe or some one on his behalf, or some of the dependents or some one on their behalf, shall give notice thereof to the employer within fifteen days of the occurrence of the injury, then no compensation shall be paid until and from the date such notice is given or knowledge obtained; but if notice is given or the knowledge obtained within thirty days from the occurrence of the injury, no want, failure or inaccuracy of a notice shall be a bar to obtaining compensation, unless the employer shall show that he was prejudiced by such want, defect or inaccuracy, and then only to the extent of such prejudice. Provided, that if the employe or beneficiary shall show that his failure to give prior notice was due to mistake, inadvertence, ignorance of fact or law, or inability, or to the fraud, misrepresentation or deceit of another or to any other reasonable cause or excuse, then compensation may be allowed, unless and then to the extent only that the employer shall show that he was prejudiced by failure to receive such notice. Provided, further, unless knowledge is obtained or notice given within ninety days after the occurrence of the injury, no compensation shall be allowed. No form of notice shall be required but may substantially conform to the following form:

FORM OF NOTICE.

To .....

You are hereby notified that on or about the.....day of ....., 19...., personal injury was sustained by .....while in your employ at.....
(Give name of place employed

.....
and point where located when injury occurred and that compensation .....
will be claimed therefor.)

Signed.....

but no variation from this form of notice shall be material if the notice is sufficient to advise the employer that a certain employe, by name, received an injury in the course of his employment on or about a specified time at or near a certain place. Notice served upon one whom an original notice may be served in civil cases or one employed at the office or place of business, shall be a compliance with this act.

The notice required to be given to the employer may be served by any person over sixteen years of age, who shall make return upon a copy of the notice, properly sworn to, showing the date of service where and upon whom served, but no special form of the return of service of the notice shall be required. It shall be sufficient if the facts therefrom can be reasonably ascertained. The return of service may be amended at any time.

Sec. 10. If any employe has not given notice to reject the terms, conditions and provisions of this act, or has given such notice and waived the same as by this act provided, and the employer has not rejected the terms, conditions and provisions of the act or has given such notice and waived the same and the employe receives a personal injury arising out of and in the course of the employment, compensation shall be paid as herein provided.

(a) The compensation provided for in this act shall be paid in accordance with the schedule unless otherwise provided.

(b) At any time after an injury and until the expiration of four weeks of incapacity, the employer, if so requested by the workman, or any one for him, or if so ordered by the court or Iowa Industrial Commission, shall furnish reasonable surgical, medical and hospital services and supplies, not exceeding one hundred ($100.00) dollars.

(c) Where the injury causes death the compensation under this act shall be as follows:

The employer shall in addition to any other compensation pay the reasonable expense of the employe's last sickness and burial not to exceed one hundred ($100.00) dollars. If the employe leaves no dependents this shall be the only compensation. Provided, however, that if the injury from which death ensued was produced by reason of the failure and negligence of the employer to comply with statutory requirements regarding safety devices for workmen or by reason of the failure and neglect to comply with the rules and regulations relating to safety for employes, such offending party shall be required to pay full death benefits as provided in subdivision "D" of section ten, of this act, to the Employers' Indemnity Association, and said association shall have a right of recovery therefor.

(d) If death results from the injury, the employer shall pay the dependents of the employe wholly dependent upon his earnings for support at the time of the injury, a weekly payment equal to fifty (50%) per cent of his average weekly wages, but not more than ten ($10.00) dollars nor less than five ($5.00) dollars per week for a period of three hundred (300) weeks.

(e) If the employe leaves dependents only partially dependent upon his earnings for support at the time of the injury, the weekly compensation to be paid as aforesaid shall be equal to the same propor-

tion of the weekly payments for the benefit of persons wholly dependent as the amount contributed by the employe to such partial dependents bear to the annual earnings of the deceased at the time of the injury. When weekly payments have been made to an injured employe before his death, the compensation to dependents shall begin from the date of the last of such payments, but shall not continue more than three hundred (300) weeks from the date of the injury.

(f) Where injury causes death to an employe, a minor, whose earnings were received by the parent, the compensation to be paid the parent shall be two-thirds (2-3) of the amount provided for payment in subdivision "d," section 10.

(g) No compensation shall be paid for an injury which does not incapacitate the employe for a period of at least two weeks from earning full wages; but if incapacity extends beyond a period of two weeks, compensation shall begin on the fifteenth day after the injury.

(h) For injury producing temporary disability, fifty (50%) per cent of the average weekly wages received at the time of injury, subject to a maximum compensation of ten ($10.00) dollars and a minimum of five ($5.00) dollars per week; provided, that if at the time of injury the employe receives wages less than five ($5.00) dollars per week, then he shall receive the full amount of wages per week. This compensation shall be paid during the period of such disability, not, however, beyond three hundred (300) weeks.

(i) For disability total in character and permanent in quality fifty (50%) per cent of the average weekly wages received at the time of the injury, subject to a maximum compensation of twelve ($12.00) dollars per week, and a minimum of five ($5.00) dollars per week; provided, that if at the time of injury, the employe receives wages less than five ($5.00) dollars per week, then he shall receive the full amount of wages per week. This compensation shall be paid during the period of such disability, not however, beyond four hundred (400) weeks.

(j) In case of complete disability lasting beyond four hundred (400) weeks, compensation shall be paid thereafter during life of not less than ten ($10.00) dollars per month, nor more than twenty-five ($25.00) dollars per month, payable monthly.

(k) For disability partial in character and permanent in quality the compensation shall be based upon the extent of such disability.

For all cases included in the following schedule compensation shall be paid as follows, to-wit:

(1) For the loss of a thumb fifty per cent (50%) of daily wages during forty weeks.

(2) For the loss of a first finger, commonly called the index finger, fifty per cent (50%) of daily wages during thirty (30) weeks.

(3) For the loss of a second finger, fifty per cent (50%) of daily wages during twenty-five (25) weeks.

(4) For the loss of a third finger, fifty per cent (50%) of daily wages during twenty (20) weeks.

(5) For the loss of a fourth finger, commonly called the little finger, fifty per cent (50%) of daily wages for fifteen (15) weeks.

(6) For the loss of the first phalange of the thumb or of any finger shall be considered to be equal to the loss of one-half of such thumb or finger and compensation shall be one-half of the amounts above specified.

(7) The loss of more than one phalange shall be considered as the loss of the entire finger or thumb; provided, however, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

(8) For the loss of a great toe, fifty per cent (50%) of daily wages during twenty-five (25) weeks.

(9) For the loss of one of the toes other than the great toe, fifty (50%) per cent of daily wages during fifteen (15) weeks.

(10) For the loss of the first phalange of any toe, shall be considered to be equal to the loss of one-half of such toe and the compensation shall be one-half of the amount above specified.

(11) The loss of more than one phalange shall be considered as the loss of the entire toe.

(12) For the loss of a hand, fifty per cent (50%) of daily wages during one hundred fifty (150) weeks.

(13) For the loss of an arm, fifty per cent (50%) of daily wages during two hundred (200) weeks.

(14) For the loss of a foot, fifty per cent (50%) of daily wages during one hundred twenty-five (125) weeks.

(15) For the loss of a leg, fifty per cent (50%) of daily wages during one hundred seventy-five (175) weeks.

(16) For the loss of an eye, fifty per cent (50%) of daily wages during one hundred (100) weeks.

(17) For the loss of both arms, or both hands, or both feet, or both legs, or both eyes, or of any two thereof, shall constitute total and permanent disability to be compensated according to provisions of Clause "I" Section Ten, Part One hereof.

(18) In all other cases in this, Clause "k," the compensation shall bear such relation to the amount stated in the above schedule as the disability bears to those produced by the injuries named in the schedule. Should the employe and employer be unable to agree upon the amount of compensation to be paid in cases not specifically covered by the schedule, the amount of compensation shall be settled according to provisions of this act as in other cases of disagreement.

(19) The amounts specified in this, Clause "k," and subdivisions thereof shall be subject to the same limitations as to maximum and minimum weekly payments as are stated in Clause "h," section ten hereof.

Section 11. Where an employe is entitled to compensation under this Act for an injury received and death ensues from any cause not resulting from the injury for which he was entitled to the compensation, payments of the unpaid balance for such injury shall cease and all liability therefor shall terminate.

Sec. 12. After an injury the employe, if so requested by his employer, shall submit himself for examination at some reasonable time and place within the state and as often as may be reasonably requested, to a physician or physicians authorized to practice under the laws of this State without cost to the employe; but if the employe requests he shall, at his own cost, be entitled to have a physician or physicians of his own selection present to participate in such examination. The refusal of the employe to submit to such examination shall deprive him of the right to compenastion during the continuance of such refusal. When a right to compensation is thus suspended, no compensation shall be payable in respect to the period of suspension.

Sec. 13. The compensation herein provided shall be the measure of the responsibility which the employer has assumed for injuries or death that may occur to employes in his employment subject to the provisions of this act, and it shall not be in anywise reduced by contribution from employes.

Sec. 14. Where a minor dependent or one physically or mentally incapacitated from earning is entitled to compensation under this Act, payment shall be made to a trustee appointed by the Judge of the district court for each county in the respective judicial districts, and the money coming into the hands of the said trustee shall be expended for the use and benefit of the person entitled thereto under the direction and orders of the Judge during term time or in vacation. The trustee shall make annual reports to the court of all money or property received and expended for each person, and for services rendered as trustee shall be paid such compensation by the county as the court may direct by written order directed to the Auditor of the County who shall issue a warrant therefor upon the Treasurer of the County in which the appointment is made. If the Judge making the appoint-

ment deems it advisable, a trustee may be appointed to serve for more than one county in the district and the expenses shall be paid rateably by each county according to the amount of work performed in each county. The trustee shall qualify and give bond in such amount as the Judge may direct, which may be increased or diminished from time to time as the court may deem best.

Section 15. In all cases where a party is entitled to compensation under this Act, compensation may be made at any time in a lump sum for good cause shown to be for the best interest of the beneficiary by petition to the Iowa Industrial Commission or a Judge of the District Court in the county where the injury to the employe occurred.

Sec. 16. The basis for computing compensation provided for in this act shall be as follows:

(a) The compensation shall be computed on the basis of the annual earnings which the injured person received as salary, wages or earnings in the employment of the same employer during the year next preceding the injury.

(b) Employment by the same employer shall be taken to mean employment by the same employer in the grade in which the employe was employed at the time of the accident, uninterrupted by absence from work due to illness or any other unavoidable cause.

(c) The annual earnings, if not otherwise determinable, shall be regarded as three hundred (300) times the average daily earnings in such computation.

(d) If the injured person has not been engaged in the employment for a full year immediately preceding the accident, the compensation shall be computed according to the annual earnings which persons of the same class in the same or in neighboring employments of the same kind have earned during such period. And if this basis of computation is impossible, or should appear to be unreasonable, three hundred (300) times the amount which the injured person earned on an average of those days when he was working during the year next preceding the accident, shall be used as a basis for the computation.

(e) In case of injured employes who earn either no wages or less than three hundred (300) times the usual daily wage or earnings of the adult day laborer in the same line of industry of that locality the yearly wage shall be reckoned as three hundred (300) times the average daily local wages of the average wage earner in that particular kind or class of work; or if information of that class is not obtainable, then of the class or kindred or similarity in the same general employment in the same neighborhood.

(f) As to employes in employments in which it is the custom to operate for a part of the whole number of working days in each year such number shall be used instead of three hundred (300) as a basis for computing the annual earnings, provided, the minimum number of days which shall be used for the basis of the year's work shall not be less than two hundred (200).

(g) Earnings, for the purpose of this section, shall be based on the earnings for the number of hours commonly regarded as a day's work for that employment, and shall exclude overtime earnings. The earnings shall not include any sum which the employer has been accustomed to pay the employe to cover any special expense entailed on him by the nature of his employment.

(h) In computing the compensation to be paid to any employe who, before the accident for which he claims compensation, was disabled and drawing compensation under the terms of this Act, the compensation for each subsequent injury shall be apportioned according to the proportion of incapacity and disability caused by the respective injuries which he may have suffered.

Sec. 17. In this act unless the context otherwise requires:

(a) "Employer" includes and applies to any person, firm, association, or corporation, and includes State, Counties, Municipal Corporations, Cities under special Charter and under Commission form of Government and shall include School Districts and the legal representatives of a deceased employer. Whenever necessary to give effect to section seven of this act, it includes a principal or intermediate contractor.

(b) "Workman" is used synonymous with "employe" and means any person who has entered into the employment of, or works under contract of service, express or implied, or apprenticeship for an employer, except a person whose employment is purely casual and not for the purpose of the employer's trade or business or those engaged in clerical work only, or one holding an official position or standing in a representative capacity of the employer, or an official elected or appointed by the State, County, School District, Municipal Corporation, Cities under special Charter, and Commission form of Government. Provided, that one who sustains the relation of contractor with any person, firm, association, corporation or the State, County, School District, Municipal Corporation, Cities under special Charter or Commission form of Government, shall not be considered an employe thereof.

The term "Workman" shall include the singular and plural of both sexes. Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his dependents as herein defined, legal representatives, or where the workman is a minor or incompetent, to his guardian or next friend.

(c) The following shall be conclusively presumed to be wholly dependent upon a deceased employe:

(1) The surviving spouse, unless it be shown that the survivor wilfully deserted deceased without fault upon the part of deceased and if it be shown that the survivor deserted deceased without fault upon the part of deceased, the survivor shall not be regarded as a dependent in any degree.

(2) A child or children under sixteen years of age (and over said age if physically or mentally incapacitated from earning) whether actually dependent for support or not upon the parent at the time of his or her death.

(3) A parent of a minor entitled to the earnings of the employe at the time when the injury occurred, subject to provisions of Subdivision "F" Section Ten hereof.

(4) If the deceased employe leaves dependent surviving spouse the full compensation shall be paid to such spouse; but if the dependent surviving spouse dies before payment is made in full, the balance remaining shall be paid to the person or persons wholly dependent, if any, share and share alike. If there be no person or persons wholly dependent, then payment shall be made to partial dependents.

(5) In all other cases questions of dependency in whole or in part shall be determined in accordance with the fact as the fact may be at the time of the injury, and in such other cases if there is more than one person wholly dependent, the death benefit shall be equally divided among them, and persons partially dependent, if any, shall receive no part thereof. If there is no one wholly dependent and more than one person partially dependent, the death benefit shall be divided among them according to the relative extent of their dependency. Provided, however, that when a lump sum is paid as contemplated by this Act, the court or Commission in making distribution thereof, shall take into consideration the contingent rights of partial beneficiaries or the rights of those who may become such after a wholly dependent child or children become sixteen years of age.

(6) Step-parents shall be regarded in this Act as parents.

(7) Adopted child or children or step-child or children shall be regarded in this Act the same as if issue of the body.

(d) "Injury" or "personal injury" includes death resulting from injury.

(e) The words "personal injury arising out of and in the course of such employment" shall include injuries to employees whose services are being performed on, in or about the premises which are occupied, used or controlled by the employer, and also injuries to those who

are engaged elsewhere in places where their employer's business requires their presence and subjects them to dangers incident to the business.

(f) The words "injury and personal injury" shall not include injury caused by the wilful act of a third person directed against an employe for reasons personal to such employe or because of his employment.

(g) They shall not include a disease except as it shall result from the injury.

(h) "Industrial employment" includes only employment in occupations, callings, businesses or pursuits which are carried on by the employer for the sake of pecuniary gain.

(i) The word "court" whenever used in this Act unless the context shows otherwise, shall be taken to mean the District court.

Sec. 18. (a) Any contract of employment, relief benefit or insurance or other device whereby the employe is required to pay any premium or premiums for insurance against the compensation provided for in this act shall be null and void; and any employer withholding from the wages of any employe any amount for the purpose of paying any such premium shall be guilty of a misdemeanor and punishable by a fine not less than ten ($10.00) dollars nor more than fifty ($50.00) dollars for each offense in the discretion of the court.

No employe or beneficiary shall have power to waive any of the provisions of this Act in regard to the amount of compensation which may be payable to such employe or beneficiary hereunder to whom the Act applies.

Sec. 19. Any contract or agreement made by any employer or his agent or attorney with any employe or any other beneficiary of any claim under the provisions of this act within twelve (12) days after the injury shall be presumed to be fraudulent.

Sec. 20. In any case where an employer, coming under this Act, fails, omits and neglects to comply with the statutes regarding safety devices or appliances for the safety of workmen, or fails or neglects to comply with an order, rule or regulation in force made by the Iowa Industrial Commission relating thereto, and an injury occurs to an employe as the result thereof, the offending employer shall pay into the funds of the Workmen's Indemnity Association, an amount equal to that paid by the Association or which it becomes obligated therefor under the terms of this Act.

Sec. 21. No claim of an attorney-at-law for services in securing a recovery under this act shall be an enforcible lien thereon unless the amount of the same be approved in writing by a judge of a court of record or the Iowa Industrial Commission, which approval may be made in term time or vacation.

Sec. 22. The provisions of this act shall apply to employers and employes as defined in this Act engaged in Intra-state commerce and also those engaged in Inter-state or foreign commerce for whom a rule or method of compensation has been or may be established by the Congress of the United States, only to the extent that their mutual connection with Intra-state work or foreign commerce shall be clearly separable and distinguishable from Inter-state or foreign commerce; provided that any such employer and workman of such employer working only in this State may subject to the approval of the Iowa Industrial Commission, and so far as not forbidden by any Act of Congress or permitted, voluntarily by written agreement, accept and become bound by the provisions of this Act in like manner and with the same force and effect in every respect as by this Act provided for other employers and employes.

PART II.

Sec. 23. There is hereby created the office of Iowa Industrial Commissioner, to be appointed by the governor, by and with the consent of the senate. The term of office of the commissioner shall be six years. An appointment may be made to fill a vacancy or otherwise when the senate is not in session, but shall be acted upon at the next session thereof.

Sec. 24. The salary and actual necessary expenses of the Commissioner shall be paid by the state, and he shall be provided with adequate and necessary office rooms, furniture, equipment, supplies and other necessaries in the transaction of the business. The salary of the commissioner shall be three thousand dollars ($3,000.00) per annum. The commissioner may fix the salary and appoint a secretary and other assistants and clerical help as may be required and needed, provided, that the salary of the secretary shall not exceed fifteen hundred dollars ($1500.00) per annum. The salary and actual personal expense account of the commissioner shall be itemized and sworn to, and filed as other current bills as provided by statute, and warrant therefor shall be issued by the auditor upon the treasurer of the state for the payment thereof at the end of each calendar month; provided, however, that the expense account may be audited, allowed and paid at the end of each week. The commissioner shall provide himself with a seal, which shall be used to authenticate his orders, decisions and other proceedings deemed necessary, upon which shall be inscribed the words: "Iowa Industrial Commission's Seal" and the date of organization. All other accounts made by, through or under the commissioner for salaries, expenditures, unless otherwise by this act provided, shall be itemized and sworn to by the parties entitled thereto, audited by the commissioner, attested by the secretary, filed as other bills are required by statute, and a warrant shall issue therefor by the auditor of state upon the treasurer, who shall pay the same out of the funds appropriated for the use of the commissioner as by

this act provided. The salaries of all persons under the commissioner shall be audited, allowed and paid at the end of each month, and expense accounts may be audited, allowed and paid at the end of each week. The commissioner shall have the power to remove the secretary or any other preson appointed to an office by him at any time the commissioner may see fit.

It shall be unlawful for any appointee by the commissioner to espouse the election or appointment of any candidate for or to any political office, or contribute to the campaign fund of any political party or to the campaign fund of any person who is a candidate for election or appointment to any political office, and any person performing the duties as an appointee under the commissioner violating the provisions of this act shall be sufficient cause for dismissal and removal from office.

Before entering upon his duties the commissioner shall qualify by taking the oath of his office, that he will support the constitution of the United States and of the state of Iowa, and will faithfully and impartially, without fraud, fear or favor, discharge the duties of his office incumbent upon him, as provided by the law of the state of Iowa, to the best of his ability and understanding.

There is hereby appropriated out of any money not otherwise appropriated for the use of the commissioner, as contemplated within the terms of this act or acts amendatory thereof, or other statutes relating to the commissioner, his duties and responsibilities empowered by law, the sum of ten thousand dollars ($10,000.00) annually, and in addition thereto the executive council shall provide and furnsh the commissioner with such printing as may be necessary in the transaction of the business within the contemplation of law.

Sec. 25. The commissioner may make rules and regulations not inconsistent with this act for carrying out the provisions of the act. Process and procedure under this act shall be as summary as reasonably may be. The commissioner shall have the power to subpoena witnesses, administer oaths and to examine such books and records of the parties to a proceeding or investigation as relate to questions in dispute or under investigation. The fees for attending as a witness before the Industrial Commissioner shall be $1.50 per diem; for attending before an arbitration committee $1.00 per diem; in both cases five cents per mile for traveling to and from the place of hearing. The district court is hereby empowered to enforce by proper proceedings the provisions of this section relating to the attendance and testimony of witnesses and the examination of books and records. The commissioner shall make biennial reports to the governor who shall transmit the same to the general assembly, in which among other things, the commissioner shall recommend such changes in the law covered by this act as he may deem necessary.

Sec. 26. If the employer and injured employe reach an agreement in regard to compensation under this act, a memorandum shall be filed with the Industrial Commissioner and if approved by it, thereupon the memorandum shall for all purposes be enforcible under the provisions of this act. Such agreement shall be approved by said commissioner only when the terms conform to the provisions of this act.

Sec. 27. If the employer and the injured employe or representatives or dependents fail to reach an agreement in regard to compensation under this act, either party may notify the Industrial Commissioner, who shall thereupon call for the formation of a committee of arbitration. The arbitration committee shall consist of three persons, one of whom shall be the Industrial Commissioner and shall act as chairman. The other two shall be named, respectively, by the two parties. If a vacancy occurs it shall be filed by the party whose representative is unable to act.

Sec. 28. The arbitrators appointed by the parties shall be sworn by the chairman to take the following oath:

I, ..., do solemnly swear (or affirm) that I will faithfully perform my duties as arbitrator and will not be influenced in my decision by any feeling of friendship or partiality toward either party.

(Signed) .....

Sec. 29. It shall be the duty of the Industrial Commissioner, upon notification, that the parties have failed to reach an agreement, to request both parties to appoint their respective representatives on the committee of arbitration. The commissioner shall act as chairman, and, if either party does not appoint its member on this committee within seven days after notification as above provided, or after a vacancy has occurred, the commissioner or any member thereof shall fill the vacancy and notify the parties to that effect.

Sec. 30. The committee on arbitration shall make such inquiries and investigations as it shall deem necessary. The hearings of the committee shall be in the city, town or place where the injury occurred and the decision of the committee, together with the statement of evidence submitted before it, its findings of fact, rulings of law and any other matters pertinent to questions arising before it shall be filed with the Industrial Commissioner. Unless a claim for a review is filed by either party within five days, the decision shall be enforcible under the provisions of this act.

Sec. 31. The Industrial Commissioner may appoint a duly qualified impartial physician to examine the injured employe and make report. The fee for this service shall be five ($5.00) dollars, to be paid by the Industrial Commissioner together with traveling expenses, but the commission may allow additional reasonable amounts in extraordinary cases.

Sec. 32. The arbitrators named by or for the parties to the dispute shall each receive five ($5.00) dollars as a fee for his services, but the Industrial Commissioner may allow additional reasonable amounts in extraordinary cases. The fees shall be paid by the employer who may deduct an amount equal to one-half of the sum from any compensation found due the employe. And all other costs incurred in the hearing before the board of arbitration shall be taxed to the losing party, or an equitable apportionment made thereof by the committee according to the facts.

Sec. 33. If a claim for review is filed, the Industrial Commissioner shall hear the parties and may hear evidence in regard to any or all matters pertinent thereto and may revise the decision of the committee in whole or in part, or may refer the matter back to the committee for further findings of fact, and shall file its decision with the records of the proceedings and notify the parties thereof. No party shall as a matter of right be entitled to a second hearing upon any question of fact.

Section 34. Any party in interest may present certified copy of an order or decision of the commissioner or a decision of an arbitration committee from which no claim for review has been filed within the time allowed therefor, or a memorandum of agreement approved by the commissioner, and all papers in connection therewith, to the district court of the county in which the injury occurred, whereupon said court shall render a decree in accordance therewith and notify the parties. Such decree shall have the same effect and in all proceedings in relation thereto shall thereafter be the same as though rendered in a suit duly heard and determined by said court, except that there shall be no appeal therefrom upon questions of fact or where the decree is based upon an order or decision of the commissioner which has not been presented to the court within ten days after the notice of the filing thereof by the commission. Upon the presentation to the court of a certified copy of a decision of the Industrial Commissioner, ending, diminishing or increasing a weekly payment under the provisions of this act, the court shall revoke or modify the decree to conform to such decision.

Sec. 35. (a) Any payment to be made under this act may be reviewed by the Industrial Commissioner at the request of the employer or of the employe, and on such review it may be ended, diminished or increased subject to the maximum or minimum amounts provided for in this act if the commission finds the conditions of the employe warrants such action.

(b) Any notice to be given by the commissioner or court provided for in this act shall be in writing but service thereof shall be sufficient if deposited in the mail, addressed to the last known address of the parties.

Sec. 36. Fees of attorneys and physicians for services under this act shall be subject to the approval of the Industrial Commissioner unless otherwise provided in this act.

Sec. 37. Every employer shall hereafter keep a record of all injuries, fatal or otherwise, sustained by his employes in the course of their employment. Within forty-eight hours, not counting Sundays and legal holidays, after the occurrence of an accident resulting in personal injury, a report shall be made in writing to the industrial Commissioner on blanks to be procured from the commissioner for that purpose.

Opon the termination of the disability of the injured employe, or if such disability extends beyond a period of sixty days, at the expiration of such period, the employer shall make a supplemental report on blanks to be procured from the commissioner for that purpose. The said reports shall contain the name and nature of the business of the employer, the location of the establishment, the name, age, sex and occupation of the injured employe, and shall state the date and hour of the accident, the nature and cause of the injury, and such other information as may be required by the commissioner. Any employer who refuses or neglects to make the report required by this section shall be punished by a fine of not more than fifty ($50.00) dollars for each offense. All books, records and pay rolls of the employers, coming under this act showing or reflecting in any way upon the amount of wage expenditure of such employers, shall always be open for inspection by the Industrial Commissioner or any of his representatives presenting a certificate of authority from said commissioner for the purpose of ascertaining the correctness of the wage expenditure; the number of men employed and such other information as may be necessary for the uses and purposes of the commissioner in its administration of the law. But information obtained within the contemplation of this act shall be used for no other purpose than the information of the commissioner or insurance association with reference to the duties imposed upon such commissioner. A refusal on the part of the employer to submit his books, records or pay rolls for the inspection of the commissioner, or his authorized representatives presenting written authority from the commissioner, shall subject the employer to a penalty of one hundred dollars ($100) for each such offense to be collected by civil action in the name of the state, and paid into the state treasury.

Sec. 38. It shall be unlawful for the commissioner, during his term of office, to serve upon any committee of any political party or espouse the election or appointment of any person for any political office or contribute to any compaign fund of any political party, or to the campaign fund of any person who is a candidate for election or appointed to any political office. A violation of this section shall be deemed a misdemeanor and upon conviction shall be fined one hundred ($100.00) dollars.

Sec. 39. It shall be unlawful for any person who is a candidate for the appointment as commissioner to make any promise to another, expressed or implied, in consideration of any assistance or influence given or recommendation made that the candidate will, if appointed as commissioner vote to appoint such person or one for whom he may recommend to an office within the power of the commissioner to appoint. A violation thereof shall be deemed a misdemeanor and upon conviction thereof shall be fined one hundred ($100.00) dollars.

Sec. 40. All recommendations to the governor of any person asking the appointment of another as commissioner shall be reduced to writing signed by the person presenting the same, which shall be filed by the governor in his office and open at all reasonable times for public inspection, and all recommendations made by any person to the commissioner for the appointment of another within the power of the commissioner to appoint, shall be reduced to writing, signed by the person presenting the same and filed by the commissioner and open for public inspection at all reasonable times and hours. Any person recommending the appointment of another within the contemplation of this act and refusing to reduce the same to writing, it shall be the duty of the person to whom the recommendation is made, to make a brief memoranda thereof stating the name of the person recommended and the name of the person who made the same, which shall be filed as by this act in other cases provided. It shall be unlawful for the commissioner to become financially interested in any business enterprise coming under or affected by this act during his term of office and any member offending this statute, it shall be sufficient grounds for his removal from office and in such case the governor shall at once declare the office vacant and appoint another to fill the vacancy.

Sec. 41. The governor shall remove from office the commissioner on the grounds of inefficiency, neglect of duty, or malfeasance in office, upon written charges having been filed with the executive council and sustained by proofs. But written notice of such charges, together with a copy thereof, shall be served upon the accused ten (10) days before the time fixed for hearing. The executive council shall have jurisdiction to hear the case, and shall make such finding in accordance with justice and the law. It shall be reduced to writing, and report and finding filed with the governor.

PART III.

Sec. 42. Every employer, subject to the provisions of this act, shall insure his liability thereunder in some corporation, association or organization approved by the state department of insurance. Every such employer shall within thirty (30) days after this act goes into effect exhibit on demand of the state insurance department evidence of his compliance with this section. And if such employer refuses, or neglects to comply with this section, he shall be liable in case of injury to any workman in his employ under part one (1) of this act.

Sec. 43. For the purpose of complying with the foregoing section, groups of employers by themselves or in an association with any or all of their workmen, may form insurance associations as hereafter provided, subject to such reasonable conditions and restrictions as may be fixed by the state insurance department and membership in such mutual insurance organization as approved, together with evidence of the payment of premiums due, shall be evidence of compliance with the preceding section.

Sec. 44. Subject to the approval of the Iowa Industrial Commissioner any employer or group of employers may enter into or continue an agreement with his or their workmen to provide a scheme of compensation, benefit or insurance in lieu of the compensation and insurance provided by this act; but such scheme shall in no instance provide less than the benefits here secured, nor vary the period of compensation provided for disability or for death, or the provisions of this act with respect to periodic payments, or the percentage that such payments shall bear to weekly wages, except that the sums required may be increased; provided further, that the approval of the insurance department shall be granted, if the scheme provides for contribution by workmen, only when it confers benefits in addition to those required by this act commensurate with such contributions.

Sec. 45. Whenever such scheme or plan is approved by the Iowa Industrial Commissioner, he shall issue a certificate to that effect, whereupon it shall be legal for such employer, or group of employers, to contract with any or all of his or their workmen to substitute such scheme or plan for the provisions of this act during a period of time fixed by said department.

Sec. 46. Such scheme or plan may be terminated by the Iowa Industrial Commissioner on reasonable notice to the interested parties if it shall appear that the same is not fairly administered, or if its operation shall disclose latent defects threatening its solvency, or if for any substantial reason it fails to accomplish the purpose of this act; but from any such order of said Iowa Industrial Commissioner the parties affected, whether employer or workman, may, upon the giving of proper bond to protect the interests involved appeal for equitable relief to the district court of this state.

Sec. 47. No insurer of any obligation under this act shall either by himself or through another, either directly or indirectly, charge or accept as a commission or compensation for placing or renewing any insurance under this act more than fifteen (15) per cent of the premium charged.

Sec. 48. Every policy issued by any insurance corporation association or organization to assure the payment of compenation under this act shall contain a clause providing that between any employer and the insurer, notice, to and knowledge of the occurrence of injury or death on the part of the insured shall be notice and knowledge on the part of

the insurer; and jurisdiction of the insured for the purpose of this act shall be jurisdiction of the insurer and the insurer shall be bound by every agreement, adjudgment, award or judgment rendered against the insured.

Sec. 49. No policy of insurance issued under this act shall contain any provision relieving the insurer from payment if the insured becomes insolvent or discharged in bankruptcy during the period that the policy is in operation, or the compensation, or any part of it, is due and unpaid. Every policy shall provide that the workman shall have a first lien upon any amount becoming due on account of such policy to the insured from the insurer, and that in case of the legal incapacity, inability or disability of the insured to receive the amount due and pay it over to the insured workman, or his dependents, said insurer shall pay the same directly to such workman, his agent, or to a trustee for him or his dependents, to the extent of discharging any obligation of the insured to said workman or his dependents.

Sec. 50. Part one of this act shall take effect from and after January first, 1914, and parts two and three July fourth, 1913. Any employer or employee who serves the notice to reject the terms of the act as by the act provided not less than thirty days before part one thereof took effect, such notice shall have the same force and effect as though part one had taken effect July fourth, 1913.

Senator Clarkson moved that 1,000 extra copies of the Journal for April 10th be printed.

Carried.

Senator Clarkson moved that the Secretary of the Senate be authorized to turn the original copy of Senate File No. 3 over to the printer for the purpose of having same printed as amended in the Journal.

Carried.

THIRD READING OF BILLS.

On motion of Senator Chase, Senate File No. 82, a bill for an act to provide additional chairs in the College of Homeopathic Medicine of the State University of Iowa, additional to chapter 168 of the acts of the Sixteenth General Assembly, with report of committee recommending indefinite postponement, was taken up and considered.

President Pro Tem Savage was called to the chair at 3:25 P. M.

President Harding resumed the chair at 4:05 P. M.

On the adoption of the report of the committee a roll call was demanded.

Those favoring the motion were:

Balluff, Cowles, Crist, Darroh, Doran, Farr, Fellows, Francis, Gillette, Hagemann, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Perkins, Robinson, Savage, Schrup, Smith, Webber, Wilson of Appanoose, Wilson of Clinton—24.

The nays were:

Allen, Ames, Arney, Boe, Chase, Crow, Dunnegan, Garrett, Heald, Kimball, McColl, Neal, Nye, Quigley, Sheean, Spaulding, Sullivan, Taylor, White—19.

Absent or not voting:

Balkema, Clarkson, DeWolf, Mattes, McManus, Ream, Thomas —7.

Adopted.

So the bill was indefinitely postponed.

On motion of Senator Francis, House File No. 166, a bill for an act to provide additional qualifications for office, and relating to removal from office (additional to chapter 6, Title VI, of the code, relating to qualifications for office), was taken up and considered.

Senator Francis offered the following amendment and moved its adoption:

Amend by striking the words "any elective or appointive office in this state," and substituting, "the office from which removed or which was by the incumbent resigned."

Amendment lost.

Senator Francis 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 ayes were:

Arney, Balkema, Boe, Crist, Dunnegan, Farr, Francis, Heald, Jewell, Jones, Larrabee, Taylor, Wilson of Clinton—13.

The nays were:

Balluff, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Fellows, Garrett, Gillette, Hagemann, Hilsinger, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Webber, White, Wilson of Appanoose—27.

Absent or not voting:

Allen, Ames, DeWolf, Kimball, Legel, Malmberg, Mattes, McManus, Neal, Thomas—10.

So the bill having failed to receive a constitutional majority was declared lost.

On motion of Senator Jones, House File No. 291, a bill for an act to amend section five thousand and forty-a (5040-a) of the supplement to the code, 1907, relating to the proper observance of Decoration day.

Senator Jones offered the following amendment and moved its adoption:

Amend by re-numbering section 3 as section 2.

Adopted.

Senator Jones 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Hage-

mann, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins, Ream, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—35.

The nays were:

Cowles, Quigley, Sheean, Wilson of Clinton—4.

Absent or not voting:

Balluff, Crow, DeWolf, Dunnegan, Heald, Jewell, Mattes, McManus, Schrup, Webber, White—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Hilsinger called up for consideration the concurrent resolution offered by him on March 29th, relative to final adjournment.

Senator McColl offered the following amendment to the resolution and moved its adoption:

I move to amend by striking from the third line the figures 10 and inserting in lieu thereof the figures 17.

The amendment was adopted.

Senator Francis moved that the consideration of the resolution be postponed until tomorrow morning at 10 o'clock and he made a Special Order at that time.

On this motion a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Balkema, Darrah, Francis, Jewell, Jones, Larrabee, Mattes, Neal, Perkins, Robinson, Spaulding, Thomas, Wilson of Clinton—15.

The nays were:

Arney, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Doran, Dunnegan, Farr, Garrett, Gillette, Hagemann, Hilsinger, Kimball, Legel, Malmberg, McColl, McManus, Nye, Quigley, Ream, Savage, Schrup, Sheean, Smith, Sullivan, Taylor, Webber, White, Wilson of Appanoose—32.

Absent or not voting:

DeWolf, Fellows, Heald—3.

So the motion was lost.

Senator Jones offered the following amendment to the concurrent resolution as amended and moved its adoption:

I move to amend by striking out "Thursday, April 17," and insert "Saturday, April 19th."

Lost.

Senator Thomas moved to amend the resolution by striking out the words and figures, Thursday, 17th, and insert the words and figures, Friday, 18th.

Amendment lost.

Senator Allen moved to strike out "Thursday, 17th," and insert in lieu thereof, "Monday, 21st."

Senator Dunnegan moved the previous question.

Carried.

On the motion of Senator Allen a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Balkema, Boe, Clarkson, Darrah, Fellows, Francis, Jones, Larrabee, Mattes, Neal, Nye, Perkins, Robinson, Spaulding, Taylor, Thomas—18.

The nays were:

Arney, Balluff, Chase, Cowles, Crow, DeWolf, Doran, Dunnegan, Farr, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Legel, Malmberg, McColl, McManus, Quigley, Ream, Savage, Schrup, Sheean, Smith, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—29.

Absent or not voting:

Crist, Kimball, Webber—3.

So the amendment was lost.

Senator Francis offered an amendment to the resolution offered by Senator Hilsinger.

Objected to as the previous question had been ordered.

The President held the point of order well taken.

Senator Francis asked unanimous consent to consider his amendment.

Objection was offered.

On the motion of Senator Hilsinger, as amended, a roll call was demanded.

Those favoring the motion were:

Arney, Balluff, Chase, Cowles, Crow, DeWolf, Doran, Dunnegan, Farr, Garrett, Gillette, Hagemann, Heald, Hilsinger, Legel, Malmberg, McColl, McManus, Neal, Nye, Quigley, Ream, Savage, Schrup, Sheean, Smith, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

Allen, Ames, Balkema, Boe, Clarkson, Darrah, Fellows, Francis, Jewell, Jones, Larrabee, Mattes, Perkins, Robinson, Spaulding, Taylor, Thomas—17.

Absent or not voting:

Crist, Kimball, Webber—3.

The resolution was adopted.

THIRD READING OF BILLS.

On motion of Senator Darrah, Senate File No. 368, a bill for an act to require the registration of charitable organizations soliciting public aid and providing 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 Darrah moved the adoption of the following amendments recommended by the Judiciary committee:

By striking out the word "approval" in the second line of section 2 and inserting in lieu thereof the words "taking effect." Also by striking out the letter "s" in the word "appointees" in line 10 and by striking out the word "separately" in line 10 of said section 2, and by striking out the word "any" in line 12 and inserting in lieu thereof the word "such." Also that section 2 be amended by inserting between the word "qualified"

and the period in line 15, "which successor shall, at the general election in the year 1914 and each six years thereafter, be elected for the full term of six years." And by striking out all of the remainder of said section 2.

Senator Darrah offered the following amendment as a substitute for the amendment to section 1 as recommended by the committee:

I move as a substitute for the amendment to section 1, amend by inserting after the word "organization" in line 13 and before the word "from," the following:

"Church, school or any recognized society or branch of any church or school."

Also by inserting in line 15, after the word "such" and before the word "institution" the words, "church, school."

Adopted.

The amendments as amended were adopted.

Senator Darrah 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 ayes were:

Allen, Arney, Balkema, Boe, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Taylor, Thomas, Webber, Wilson of Appanoose—37.

The nays were:

Balluff, DeWolf, Quigley, Wilson of Clinton—4.

Absent or not voting:

Ames, Chase, Clarkson, Crist, Hilsinger, McManus, Sheean, Sullivan, White—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your Joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Senate File No. 309, a bill for an act to provide the method of constructing and operating gypsum mines, for escape shafts and for the ventilation of such mines, to provide for the inspection of the same by the state mine inspector, to require operators to report fatal accidents and to provide penalties for violation of this act.

Also:

Senate File No. 349, a bill for an act to amend the law as it appears in section eight hundred twenty-five (825) of the Code, relating to street improvements and sewers.

Also:

Substitute for Senate File No. 57, a bill for an act to confer power upon the railroad commission of the state of Iowa to grant a franchise to any individual or corporation organized under the laws of Iowa, or corporation authorized to transact business in Iowa under the general incoporation laws of the state, engaged in the manufacture, sale or distribution for sale of electric current, to construct transmission lines and obtain the necessary interests in real estate therefor, and the manner of making compensation to said owner of said land for said rights.

Also:

Senate File No. 70, a bill for an act to establish a department of public instruction, and to amend section ten hundred and sixty-five (1065) of the Supplement to the Code, 1907, and to repeal chapter one (1) of title thirteen (13) of the Code, and to repeal chapter one (1) of title thirteen (13) of the Supplement to the Code, 1907, as amended, relative to the office of superintendent of public instruction, and to enact a substitute therefor.

Also:

Senate File No. 418, a bill for an act to require the equipment and maintenance of sanitary closets at railway stations in this state, providing for the regulation and inspection thereof and fixing a penalty for violation of this act.

Also:

Senate File No. 351, a bill for an act to promote horticulture by the creation of new and better adapted varieties through scientific cross-breeding and selection, and to make an appropriation therefor.

Also:

House File No. 669, a bill for an act to provide for the levy of a special tax upon the assessed valuation of the taxable property of the state for a period of ten years for purchase of real estate for the extension and for the improvement of the state capitol grounds; to define the limits of said extension; to authorize the purchase by executive council of all grounds within said limits; to adopt a plan for the location of buildings, monuments, etc., on said extended ground, and to provide for the sale of certain real estate known as "governor square."

Also:

House File No. 658, a bill for an act to legalize the platting of an addition to the town of Kensett, Iowa, executed by Mrs. Margaret Lukason, deceased, dated March 21, 1898, and filed for record in the office of the recorder of Worth county, Iowa, April 9, 1898.

Also:

House File No. 5, a bill for an act providing for the non-partisan nomination and election of judges of the supreme, district and superior courts of Iowa.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

President announced that is president of the Senate, he had signed in the presence of the Senate, House Files Nos. 669, 658 and 5.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate File No. 474, a bill for an act to amend the law as it appears in an act passed by the Thirty-fifth (35th) General Assembly and approved on the 20th day of March, A. D. 1913, and entitled "A bill for an act additional to chapter five (5) title ten (10) of the Code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same."

Also:

Senate File No. 275, a bill for an act to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act.

Also:

Senate File No. 206, a bill for an act to amend section one (1) chapter one hundred four (104) acts of the Thirty-third (33d) General Assembly, as amended by chapter seventy-three (73) of the acts of the Thirty-fourth (34th) General Assembly, describing the form of index of articles of incorporation, and making it the duty of the recorder to so index said articles.

Also:

Substitute for Senate File No. 249, a bill for an act amending section nineteen (19) and section thirty (30), chapter seventy-two (72) of the acts of the Thirty-fourth General Assembly providing additional rules and regulations for the operation of motor vehicles upon public highways within the state of Iowa.

Also:

Substitute for Senate File No. 393, a bill for an act to amend section two (2) of chapter one hundred and ninety (190) laws of the Thirty-third General Assembly, relative to the library commission and traveling library.

Also:

Senate File No. 162, a bill for an act providing for the paroling of patients in the state hospital for inebriates and certain female patients from state hospitals for the insane, and for the return of patients who violate their parôles and repealing the law as it appears in section twenty-three hundred ten-a-nineteen (2310-a-19) of the Supplement to the Code, 1907.

Also:

Senate File No. 426, a bill for an act to repeal section three hundred thirteen (313) of the Code and to enact a substitute therefor relating

to the admission to the practice of law in this state of attorneys having been duly admitted to practice in other states.

Also:

Senate File No. 140, a bill for an act to repeal the law as it appears in section fifty-six hundred eighty-five-a (5685-a) of the Supplement to the Code, 1907, and to enact a substitute therefor in regard to collection of money from visitors and its use.

Also:

Senate File No. 334, a bill for an act providing for the assessment of the cost of main sewers to the property within the territory drained and defining adjacent property relative thereto, and amending section eight hundred forty-d, (840-d), of the Supplement to the Code, 1907, relating to the construction of main sewers and paying the cost thereof.

JOHN H. TAYLOR,
Chairman.

Adopted.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 309, 349, 57, 70, 418 and 351.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 309, a bill for an act to provide the method of constructing and operating gypsum mines, for escape shafts and for the ventilation of such mines, to provide for the inspection of the same by the state mine inspector, to require operators to report fatal accidents and to provide penalties for violation of this act.

Also:

Senate File No. 349, a bill for an act to amend the law as it appears in section eight hundred twenty-five (825) of the Code, relating to street improvements and sewers.

Also:

Substitute for Senate File No. 57, a bill for an act to confer power upon the railroad commission of the state of Iowa to grant a franchise to any individual or corporation organized under the laws of Iowa, or corporation authorized to transact business in Iowa under the general incoporation laws of the state, engaged in the manufacture, sale or distribution for sale of electric current, to construct transmission lines and obtain the necessary interests in real estate therefor, and the manner of making compensation to said owner of said land for said rights.

Also:

Senate File No. 70, a bill for an act to establish a department of buplic instruction, and to amend section ten hundred and sixty-five (1065) of the Supplement to the Code, 1907, and to repeal chapter one (1) of title thirteen (13) of the Code, and to repeal chapter one (1) of title thirteen (13) of the Supplement to the Code, 1907, as amended, relative to the office of superintendent of public instruction, and to enact a substitute therefor.

Also:

Senate File No. 418, a bill for an act to require the equipment and maintenance of sanitary closets at railway stations in this state, providing for the regulation and inspection thereof and fixing a penalty for violation of this act.

Also:

Senate File No. 351, a bill for an act to promote horticulture by the creation of new and better adapted varieties through scientific cross-breeding and selection, and to make an appropriation therefor.

JOHN H. TAYLOR,
Chairman.

Passed on file.

Journal of April 9th was taken up, corrected and approved.

HOUSE MESSAGES CONSIDERED.

Senate File No. 541, a bill for an act regulating the appointment and defining the powers and duties of the state board of education relative to the courses of study for the state educational institutions under their control and amending sections one (1) and four (4), chapter 170, of the laws of the Thirty-third General Assembly, relating thereto and providing for the recision of a certain order of the state board of education with reference to said matters.

HOUSE AMENDMENT.

Amend Senate File 541 by striking out section one (1) and inserting in lieu thereof the following:

Section 1. That section four (4), chapter one hundred seventy (170), acts of the Thirty-third General Assembly, is hereby amended by inserting after "state" in line 6 of said section, the following: "to change, discontnue or prescribe colleges and departments in the state university of Iowa, divisions and departments in the state college of agriculture and mechanic arts and courses of study in the state teachers' college by a two-thirds affirmative vote of the entire board. Such colleges, divisions, departments and courses of study shall be provided and maintained in the several educational institutions as may be adapted to the education of both sexes with regard to the general purposes of such institutions, and shall include home economics, and may be duplicaoted to such extent as will advance the educational interests of the state."

Also by striking from the title thereof all after "thereto" in the fifth line of said title.

Also insert the figures "one hundred seventy (170)" following the word "chapter" in title, section 1 and 2.

Amend by striking section 3 from the bill.

Passed on file.

House File No. 588, a bill for an act to amend section twenty-five hundred forty (2540) of the supplement to the code, 1907, as amended by chapter one hundred fifty-three of the acts of the Thirty-third General Assembly, relating to taking of fish by the use of spear, except during certain months.

Read first and second time and referred to Sifting committee.

Senate File No. 267, a bill for an act to amend section two thousand seventy-seven "a" (2077-a) of the supplement to the code, 1907, relating to the posting of bulletins at railway stations.

HOUSE SUBSTITUTE AMENDMENT.

A BILL for an Act to Amend Section Two Thousand Seventy-seven-a (2077-a), Supplement to the Code, 1907, as amended by Chapter One Hundred Twenty-five (125) of the Acts of the Thirty-third General Assembly, Relating to the Posting of Bulletins at Railway Stations.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section two thousand seventy-seven-a (2077-a) Supplement to the Code, 1907, as amended by chapter one hundred twenty-five

(125) of the acts of the Thirty-third General Assembly be and the same is hereby amended by adding the following thereto:

"And at all stations where a telegraph or telephone operator is maintained, such bulletin shall indicate whether said trains are late or on time, and if late, the approximate number of minutes late. If the train is less than ten (10) minutes late, the same shall be considered on time for the purpose of this act.

Sec. 2. Any agent, telephone or telegraph operator of such railroad corporation who shall violate 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 five dollars ($5.00) nor more than fifty dollars ($50.00).

Read first and second time and placed on calendar.

Senate File No. 417, a bill for an act providing for the election of United States senators by a vote of the people.

HOUSE SUBSTITUTE AMENDMENT.

A BILL for an Act Providing for the Election of United States Senator by the Vote of the People.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. The names of the candidates of the different parties for United States senator shall, at the primary election and the general election in the year preceding the expiration of the term of office of United States senator, or in case of a vacancy in said office, be placed on the official ballot in the proper place, and there shall be nominated and elected a United States senator or senators, as the case may be, in the manner now provided by law for the nomination and election of state officers, and all provisions of the law pertaining to the nomination and election of state officers, congressmen and presidential electors shall apply to the nomination and election of United States senators in so far as the same may be applicable, the same as though the words "United States senator" were specifically written therein.

Read first and second time and placed on calendar.

Senate File No. 233, a bill for an act to provide for the election of delegates and alternate delegates to national conventions of political parties; for the election of party national committeemen; and for a preferential vote on president and vice-president of the United States (additional to chapter two-a (2-a) title VI of the supplement to the code, 1907, relating to primacy elections.)

HOUSE AMENDMENT.

That the title be amended by inserting after the word "question" in the ninth line of the title a colon (:) in place of the comma (,), and by striking out the period (.) after the word "control" in the last line of the title, and inserting in lieu thereof a question mark (?), and that the following in the last two lines of the title be set off in quotation marks (" "): "Shall the vote of the state at large or the vote of the congressional district control?"

By striking out the word "or" near the end of the second line of section four (4) and inserting in lieu thereof the word "of."

By striking out the word "seek" in the eighteenth line of section six and inserting in lieu thereof the word "weeks."

By striking out the following "(1087-a-5)" in the fourth line on page ten (10) and inserting in lieu thereof "(1087-a25)".

By inserting after the comma (,) following the word "delegates" in the 19th line of section ten (10) the following: "which result shall be determined by the vote of the entire state."

Passed on file.

Senate File No. 196, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-seven-a-eighty-five (2727-a-85), of the supplement to the code, 1907, and to enact a substitute therefor relating to the support of the state sanatorium for the treatment of tuberculosis.

HOUSE AMENDMENT.

Amend line 5 of section 1, by striking out the words and figures "section twenty-seven hundred twenty-seven-a-eighty-five (2727-a-85.)"

Passed on file.

Senate File No. 142, a bill for an act to repeal chapter one hundred thirty-seven (137) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the support of the industrial schools.

HOUSE AMENDMENTS TO SECTION ONE.

By striking out the words "five hundred" in line 13, and insert in lieu thereof the words "four hundred eighty"; by striking out the words "six thousand five hundred" in line 15, and insert in lieu thereof the words "six thousand two hundred forty"; by striking out the words "two hundred fifty" in line 16, and insert in lieu thereof the words "two hundred

thirty-five" and by striking out the words "four thousand" in line 18, and insert in lieu thereof the words "three thousand seven hundred sixty."

Passed on file.

Senate File No. 259, a bill for an act to repeal section 2308-a of the supplement to the code, 1907, and to enact a substitute therefor relating to the payment of costs and expenses of non-resident insane patients.

HOUSE AMENDMENT.

That section one be amended by striking out of the fourth line thereof the following: "Section 2."

Also insert the words "twenty-three hundred eight-a" and put figures in parenthesis in section 1 and title."

Passed on file.

Senator Savage, from the committee on Schools, returned to the Senate, House Files Nos. 661, 350, 667, 548, 362, 261 and 98; also Senate Files Nos. 302, 158, 93, 429, 494, 154, 26, 274, and 131, all of which were referred to the Sifting committee.

Senator Crist, from committee on Public Utilities, returned to the Senate, Senate File No. 330, which was referred to the Sifting committee.

Senator Jones, from the committee on Penitentiaries and Pardons, returned to the Senate, House File No. 41, which was referred to the Sifting committee.

Senator Boe moved that the Senate do now adjourn until 7:30 P. M., today.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, APRIL 11, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. C. A. Field, Keosauqua, Iowa.

PETITIONS AND MEMORIALS.

Senator Garrett presented a remonstrance of citizens of Louisa county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Nye presented a remonstrance of citizens of Taylor county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Fellows presented remonstrance of citizens of Allamakee county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Boe presented a remonstrance of citizens of Northwood, Iowa, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Crist presented a remonstrance of citizens of Clarke county protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator McColl offered the following motion and moved its adoption:

"I move that it shall be a rule of this Senate beginning April 11th that no Senator shall be allowed more than five minutes to debate any subject unless he have charge of a measure, and in that event he shall be limited to ten minutes. No Senator shall speak more than once upon any subject."

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. 514, a bill for an act to amend the law as it appears in section 3 chapter 146 of the acts of the Thirty-fourth General Assembly relating to the payment of tuition of pupils residing in school corporations which do not offer instruction equivalent to four year high schools of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 682, a bill for an act relating to the care of property belonging to guests of hotels and inns and to the lien of hotel and inn keepers thereon.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 521, a bill for an act to legalize conveyances by counties recorded prior to January 1st, 1900, where the seal of the county was not affixed to the instrument of conveyance.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 535, a bill for an act to prevent fraud in the manufacture and sale of commercial fertilizers.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 amend section 1 of chapter 43 acts of the Thirty-fourth General Assembly, relating to street improvements in towns, and to levy of special taxes therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 675, a bill for an act to amend the law relating to the levy of taxes for the support of cemeteries, as the same appears in chapter 38, acts of the Thirty-third General Assembly, amendatory of section 586 and 894, Supplement to the Code, 1907.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 668, a bill for an act to amend division 1, section 1709 Supplement to the Code, 1907, as amended by chapter 18 acts of Thirty-fourth General Assembly, relating to kinds of insurance that may be written.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 578, a bill for an act to amend section 3704 of the Code, relating to the arguments of attorneys in cases on trial in the district court.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 199, a bill for an act to provide for municipal courts for certain cities and the adoption thereof by submission to the electors at a general election etc., etc.

A. C. GUSTAFSON,
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. 161, a bill for an act in relation to the government and discipline of the state hopsital for inebriates at Knoxville, Iowa.

A. C. GUSTAFSON,
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. 118, a bill for an act to confer additional powers upon trust companies, state and saving banks and to proscribe the conditions under which they may transact business.

A. C. GUSTAFSON,
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. 327, a bill for an act to amend section 2077 of the Supplement to the Code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within the state, at which fairs or expositions are or may hereafter be held.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 384, a bill for an act to amend the law as it appears in section 490 of the Supplement to the Code, 1907, and 491 of the Code, relating to the compensation of county treasurers and their deputies.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 531, a bill for an act to provide for the registration highway routes, together with the names, color combinations and designs used in marking the same: prohibiting the duplications thereof; and providing penalties for the violation thereof.

A. C. GUSTAFSON,
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. 443, a bill for an act to amend the law as it appears in section 1989-a21 of the Supplement to the Code, 1907, relative to the repair of levees, drains, ditches and water courses.

A. C. GUSTAFSON,
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. 110, a bill for an act to provide for the nomination of district judges in judicial districts composed wholly of one county and having a population of 75,000 or more, at the primary election.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE ESSAGES CONSIDERED.

House File No. 514, a bill for an act to amend the law as it appears in chapter one hundred forty-six (146) of the acts of the Thirty-fourth General Assembly, relating to the payment of tuition of pupils attending high schools located in other districts.

Read first and second time and referred to Sifting committee.

House File No. 682, a bill for an act to amend section thirty-one hundred thirty-eight (3138) of the supplement to the code, 1907, as amended by chapter one hundred ninety-five (195) of the acts of the Thirty-third General assembly, relating to the care of property belonging to guests of hotels and inns and to the lien of hotel and innkeepers thereon.

Read first and second time and referred to Sifting committee.

House File No. 521, a bill for an act to legalize conveyances by counties recorded prior to January 1, 1900, where the seal of the county was not affixed to the instrument of conveyance.

Read first and second time and referred to Sifting committee.

House File No. 535, a bill for an act to prevent fraud in the manufacture and sale of commercial fertilizers, providing for licensing of such products and making provision for enforcement.

Read first and second time and referred to Sifting committee.

House File No. 476, a bill for an act to amend section one (1) of chapter forty-three (43) acts of the Thirty-fourth General Assembly relating to street improvements in towns, and to the levy of special taxes therefor.

Read first and second time and referred to Sifting committee.

House File No. 675, a bill for an act to amend the law relating to the levy of taxes for the support of cemeteries as the same appears in chapter thirty-eight (38) of the acts of the Thirty-third General Assembly, amendatory of sections five hundred eighty-six (586) and eight hundred ninety-four (894) supplement to the code, 1907.

Read first and second time and referred to Sifting committee.

House File No. 668, a bill for an act to amend division one (1), section seventeen hundred nine (1709), supplement to the code, 1907, as amended by chapter eighteen (18), acts of the Thirty-fourth (34th) General Assembly, relating to kinds of insurance that may be written.

Read first and second time and referred to Sifting committee.

House File No. 578, a bill for an act to amend section three thousand seven hundred four (3704) of the code, relating to the arguments of attorneys in cases on trial in the district court.

Read first and second time and referred to Sifting committee.

House File No. 199, a bill for an act to provide for municipal courts for certain cities and the adoption thereof by submission to the electors at a general election, providing for jurisdiction thereof, mode and manner of procedure therein; providing for the election of the judges of such municipal courts and defining their powers and duties; providing for the manner of preparing and who shall constitute the jury list, manner of drawing jury panels and jurors; also defining certain duties of other officials and providing penalties for the violation thereof.

Read first and second time and referred to Sifting committee.

Substitute for Senate File No. 161, a bill for an act in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates authorizing the board of control of state institutions on the recommendation of the superinendent to remove patients from one department to another and providing for compensation for the labor of patients amendatory thereto.

HOUSE AMENDMENTS.

Amend section 3 by striking therefrom the words "as is provided by section twenty-three hundred ten-a-nineteen (23-a-19) Supplement to the Code, 1907" and substituting therefor the words "as provided by law."

Amend by striking out the words in line 7 and 8 in section 5, "at the discretion of " and in line 8 following the word "superintendent strike out the word "may" and insert the word "shall".

Passed on file.

Substitute for Senate File No. 118, a bill for an act to confer additional powers upon trust companies, state and savings banks and to prescribe the conditions under which they may transact business.

HOUSE AMENDMENTS.

Amend by striking out section 2 up to and including "inhabitants" in line 10.

Amend by changing comma after the word "individuals" in line 8 to a period, and striking out the balance of the section.

Amend by striking out section 5 and renumbering succeeding sections.

Amend by striking out the last sentence of section 8.

Amend section 11 by striking out the word "Code" in line 2 and inserting the words "to the Code" following the word "Supplement".

Amend by inserting the figures in parenthesis following all section numbers in section 11.

Passed on file.

Senate File No. 327, a bill for an act to amend section two thousand seventy-seven (2077) of the supplement to the code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state, at which fairs or expositions are or may hereafter be held.

HOUSE AMENDMENT.

Amend section 1 by striking from line 19 the words "twenty-five" and inserting in lieu thereof the words "one hundred."

Passed on file.

By unanimous consent Senator Crist withdrew Senate File No. 481 from further consideration by the Senate.

THIRD READING OF BILLS.

On motion of Senator Robinson, Senate File No. 68, a bill for an act creating a commission and to erect a state office building, procuring necessary grounds adjacent to the capitol for the same, and for an appropriation therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Robinson moved the adoption of the following amendments recommended by the Appropriations committee:

By striking out from lines six (6) and seven (7) of section two (2) the words and figures "fifteen thousand dollars ($15,000)," and inserting in lieu thereof the words and figures "thirty thousand dollars (30,000)." and

By adding to section five (5) the following: "It is further provided, however, that one hundred fifty thousand dollars ($150,000) of said two hundred fifty thousand dollars ($250,000) shall not be available before July 1, A. D. 1915".

Adopted.

Senator Robinson moved the adoption of the following amendments recommended by the committee on Public Buildings:

In section 2, line 5, of the printed bill, strike out the words and figures fifteen thousand dollars ($15,000) and insert the words and figures fifty thousand dollars ($50,000.)

Lost.

Senator Robinson 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.

President Pro Tem Savage was called to the chair at 9:40.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Cowles, Crist, Crow, DeWolf, Dunnegan, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Mattes, McColl, Neal, Robinson, Savage, Spaulding, Sullivan, Taylor, Thomas—28.

The nays were:

Doran, Farr, Garrett, Jewell, Larrabee, Legel, Malmberg, McManus, Nye, Quigley, Ream, Schrup, Smith, Webber, White, Wilson of Appanoose—16.

Absent or not voting:

Balluff, Clarkson, Darrah, Perkins, Sheean, Wilson of Clinton —6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Gillette, Senate File No. 510, a bill for an act to amend the law as it appears in section one thousand five hundred thirty-two (1532), supplement to the code, 1907, as amended by the acts of the Thirty-third General Assembly, relative to the establishment of road districts for state lands and providing for the payment of the cost of maintaining roads therein and the collection of road poll tax within such districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gillette offered the following amendment and moved its adoption:

I move to amend Senate File No. 510 by inserting between the words "state" and "shall" in the 5th line thereof, the words "including those under the supervision of the State Board of Education."

Adopted.

Senator Gillette 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 ayes were:

Arney, Balkema, Balluff, Boe, Chase, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McManus, Neal, Nye, Quigley, Ream, Robinson, Smith, Spaulding, Taylor, Webber, Wilson of Appanoose—31.

The nays were:

None.

Absent or not voting:

Allen, Ames, Clarkson, Cowles, Crow, DeWolf, Francis, Garrett, Jewell, Legel, McColl, Perkins, Savage, Schrup, Sheean, Sullivan, Thomas, White, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senators Hagemann and Gillette filed the following motion:

"I move to reconsider the vote by which Senate File No. 82 was indefinitely postponed.

F. P. HAGEMANN,
G. M. GILLETTE.

By unanimous consent Senator Mattes withdrew Senate File No. 538 from further consideration by the Senate.

By unanimous consent Senator Quigley withdrew Senate File No. 278 from further consideration by the Senate.

THIRD READING OF BILLS.

On motion of Senator Ames, House Joint Resolution No. 4, proposing an amendment to the constitution of the state of Iowa, authorizing the General Assembly to provide for the exclusive taxation of classes of property for state revenue purposes, was taken up and considered.

President Harding resumed the chair at 10 A. M.

The motion filed on April 2d to reconsider the vote by which House Joint Resolution No. 4 was indefinitely postponed prevailed.

The report of the committee recommending indefinite postponement was rejected.

Senator Sullivan offered the following amendment and moved its adoption:

I move to amend House Joint Resolution No. 4 by striking out the word "municipal" in the last line of section one.

On the adoption of the amendment a roll call was demanded.

Those favoring the amendment were:

Balluff, DeWolf, Farr, Hagemann, Heald, Hilsinger, Kimball, Legel, Malmberg, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—19.

The nays were:

Allen, Ames, Arney, Balkema, Boe, Chase, Crow, Darrah, Doran, Dunnegan, Francis, Garrett, Gillette, Jewell, Jones, Larrabee, Mattes, McColl, Neal, Nye, Smith, Spaulding, Webber, White—24.

Absent or not voting:

Clarkson, Cowles, Crist, Fellows, McManus, Perkins, Taylor—7.

So the amendment was lost.

Senator Ames 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.

HOUSE JOINT RESOLUTION.

Joint Resolution Proposing an Amendment to the Constitution of the State of Iowa, Authorizing the General Assembly to Provide for the Exclusive Taxation of Classes of Property for State Revenue Purposes.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the following amendment to the constitution of the state of Iowa be, and the same is hereby proposed; to add as section thirty-nine (39) to article three (3) of said constitution the following, to-wit;

"Sec. 39. For the purpose of providing revenue for state purposes, the General Assembly may provide for the exclusive taxation of such classes of property as it may deem proper. When any class of property is exclusively taxed for state revenue purposes, such class shall not be otherwise taxed for general county, township or municipal purposes."

Sec. 2. That the foregoing proposed amendment to the constitution of the state of Iowa, be, and the same is hereby referred to the legislature to be chosen at the next general election for members of the General Assembly, and that the secretary of state cause the same to be published for three months previous to the day of such election, as provided by law.

Resolved further, that should said proposed amendment be agreed to by a majority of the members of the said succeeding General Assembly, the said proposed amendment shall be submitted to the electors of the state of Iowa at the general election in the year 1916.

On the question, "Shall the Joint Resolution pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Hagemann, Heald, Jewell, Jones, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Robinson, Smith, Spaulding, Taylor, Thomas, Webber, White—32.

The nays were:

Balluff, Cowles, Farr, Gillette, Hilsinger, Kimball, Legel, McManus, Perkins, Quigley, Ream, Savage, Schrup, Sheean, Sullivan, Wilson of Appanoose, Wilson of Clinton—17.

Absent or not voting:

Crist—1.

So the Joint Resolution having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

EXPLANATION OF VOTE.

I wish to explain my vote on House Resolution No. 4, proposing to amend the constitution of the state, relative to taxing certain classes of property for state revenue purposes only.

I voted aye to sumbit it, because I believe in the people and in their fundemental right to decide for themselves direct, a question of such great importance, affecting the equity of the burden of taxation. My vote does not indicate that I am in favor of the proposed change. It simply declares my wish and purpose to allow the people to decide the question for themselves on a referendum vote.

C. H. THOMAS.

Senator Francis offered the following motion:

"I move that the Senate recall Senate File No. 87 from the Governor."

Carried.

THIRD READING OF BILLS.

On motion of Senator Wilson of Appanoose, Senate File No. 225, a bill for an act to repeal section 3723 of the code, 1907, and enact in lieu thereof the following, which provides for a three-fourths verdict in all civil cases, 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 Francis, Senate File No. 537, a bill for an act to legalize certain warrants of the town of Milford, Iowa, was taken up, and considered.

Senator Francis 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—47.

The nays were:

None.

Absent or not voting:

Balluff, Crist, Sheean—3.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Kimball, Senate File No. 475, a bill for an act to repeal section eight hundred sixteen (816) of the code and enacting a substitute therefor and relating to the lien of special taxes for the cost of making and reconstruction of city improvements and sewers, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball moved that the substitute for the original bill be adopted.

Adopted.

Senator Kimball 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 ayes were:

Ames, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Allen, Arney, Crist, DeWolf, Farr, Mattes, McManus, Quigley, Sullivan—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

President announced that he had communications on his table which would require an executive session of the Senate.

THIRD READING OF BILLS.

On motion of Senator Chase, Senate File No. 424, a bill for an act to regulate the levy and collection of special assessments in cities and towns acting under special charter and cities under commission plan of government (amendatory to chapter seven (7), title five (V) of the code), with report of committee without recommendation and with substitute, was taken up, considered, and the report of the committee adopted.

Senator Chase moved that the substitute for the original bill be adopted.

Adopted.

Senator Chase asked unanimous consent to have the word "levies" changed to "limited" in section 1.

Consent granted.

The bill was read for information.

Senator Chase moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Balluff, Chase, Doran, Dunnegan, Francis, Garrett, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Mattes, McColl, Neal, Nye, Quigley, Ream, Robinson, Savage, Spaulding, White—26.

The nays were:

Arney, Boe, Cowles, Crist, Crow, Darrah, DeWolf, Farr, Fellows, Gillette, Legel, Malmberg, McManus, Perkins, Schrup, Sheean, Smith, Sullivan, Webber, Wilson of Appanoose—20.

Absent or not voting:

Clarkson, Taylor, Thomas, Wilson of Clinton—4.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Hilsinger filed the following motion:

"I move to reconsider the vote by which the Senate passed the resolution to adjourn."

G. E. HILSINGER.

THIRD READING OF BILLS.

On motion of Senator Farr, House File No. 312, a bill for an act to confer certain powers on cities organized under the commission form of government and on cities having a population of five thousand (5,000) or more, organized under chapter two (2), of title five (V), of the code, and cities organized under special charter, relating to the organization, equipment and operations of fire departments and providing for the levy and collection of a special tax for the use and benefit of such fire departments and granting power to anticipate said tax and to issue fire fund certificates on bonds, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Farr offered the following amendment and moved its adoption:

I move to amend section one of substitute for House File No. 312, by striking out all of that part after the word "same" in line 8 to and including the word "mills" in line 11 thereof.

Adopted.

Senator Farr 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 ayes were:

Arney, Balkema, Balluff, Boe, Chase, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, McManus, Neal, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose—34.

The nays were:

Cowles, Smith—2.

Absent or not voting:

Allen, Ames, Clarkson, Crist, DeWolf, Francis, Gillette, Larrabee, McColl, Nye, Savage, Taylor, Webber, Wilson of Clinton —14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Arney moved that the Senate do now go into executive session.

Carried.

Senate went into executive session.

EXECUTIVE SESSION.

On motion, the Senate advised and consented to the appointment of Captain William A. Duckworth, of Van Buren county, for the office of custodian of public buildings and property, for the full term of two years.

On motion, the Senate advised and consented to the appointment of Hon. David C. Mott, of Iowa county, as a member of the board of parole, to serve the term of six years on said board, beginning July 1, 1913.

On motion, Senate arose from executive session.

Senate resumed regular session.

Senator Sullivan moved that the Senate do now adjourn until 1:30 P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M.

President Harding presiding.

PETITIONS AND MEMORIALS.

Senator Crow presented a remonstrance of citizens of Missouri Valley, Iowa, opposing a permanent tax commission.

Referred to committee on Ways and Means.

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. 574, a bill for an act to repeal section 549 of the Code relating to the publication of notices (and to enact the following in lieu thereof).

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 663, a bill for an act to permit cities and towns to own and operate theaters and to provide for the levying and collection of special tax for the purchase, construction, equipment and maintenance of same.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 505, a bill for an act to amend section 2540 Supplement to the Code, 1907, and chapter 153, acts of the Thirty-third General Assembly relating to season during which fish may be taken.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 619, a bill for an act to amend section 5 chapter 69 of the acts of the Thirty-third General Assembly relating to the publication of the primary ballot.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 627, a bill for an act to require railroads to stop passenger trains at stations maintained by them when signaled so to do.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 622, a bill for an act to regulate the levy and collection tion of special assessments in cities and towns, etc., amendatory to chapter 7, title 5 of the Code.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 72, a bill for an act to repeal sections 2, 4 and 9 of chapter 131 of the acts of the Thirty-fourth General Assembly and to enact substitutes therefor, and amend section 8 of chapter 131 of the acts of the Thirty-fourth General Assembly relating to the training of teachers for rural schools and making appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 465, a bill for an act to legalize the special election held in the city of Valley Junction, Iowa, on the 14th day of March, 1913, wherein there was submitted to the voters of said city the question of purchasing and erecting a water works and electric light and power plant.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 64, a bill for an act to amend section 3340 of the Code, relative to the examination of the owner of claims against estates.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 354, bill for an act to amend the law as it appears in section 3534 of the Code, relating to service of original notice by publication.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 223, a bill for an act to amend section 1657-n Supplement to the Code, 1907, relative to the compensation of the secretary of department of agriculture.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 486, a bill fo an act to legalize the passage, adoption and publication of the ordinances of the incorporated town of Rowan, Wright county, Iowa.

A. C. GUSTAFSON,
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. 99, a bill for an act amending section 792 of the Code, relating to street improvements.

A. C. GUSTAFSON,
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. 79, a bill for an act to amend the law as it appears in sections 2823-a and 2823-i, Supplement to the Code, 1907, as amended by chapter 186 and 187 acts of the Thirty-third General Assembly, relative to the attendance of children of a certain age in public schools.

A. C. GUSTAFSON,
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. 76, a bill for an act to amend section 2608 of the Supplement to the Code, 1907, and establish a minimum monthly allowance of the support of the soldiers' home.

A. C. GUSTAFSON,
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. 230, a bill for an act to appropriate money toward the expense of paving east Washington street in the city of Mount Pleasant, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker Pro Tempore of the House has appointed as committee on the part of the House for the purchase of a chair and gavel for both the President of the Senate and Speaker of the House, Representatives Sherman of Poweshiek, Jensen of Pocahontas and Boettger of Scott.

A. C. GUSTAFSON,
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. 477, a bill for an act to appropriate money for the purpose of defraying expenses incurred in the election contests in the 19th and 46th senatorial districts of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS.

By committee on Appropriations, Senate File No. 550.

A BILL for an Act Providing for the Levy of Special Taxes upon the Assessed Valuation of the Taxable Property of the State for the Erection and Improvement of Buildings, for Appurtenances and Connections for the Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, School for the Deaf, Institution for Feeble-minded Children, State Sanatorium for the Treatment of Tuberculosis, State Industrial Schools, State Hospitals, Penitentiary, Reformatory, State Colony for Epileptics, Iowa Industrial Reformatory for Females and District Custodial Farm, and for the Purchase of Land and to Develop and Maintain Industries, and Repealing Acts and Parts of Acts in Conflict with this Act.

Be it Enacted by the Gtneral Assembly of the State of Iowa:

Section 1. That for the purpose of providing for the erection and improvement of buildings, for appurtenances and connections, for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for feeble-minded children, state sanatorium for the treatment of tuberculosis, state industrial schools, state hospitals, penitentiary, reformatory, Iowa industrial reformatory for females, district custodial farm, and state colony for epileptics, for the puchase of land for one or more of said institutions, including a new location for the Iowa industrial reformatory for females, and for establishing and maintaining

industries in any or all of said institutions, there shall be levied annually for five (5) years a special tax of one-half mill on the dollar upon the assessed valuation of the taxable property of the state and the proceeds thereof shall be paid into the state treasury to the credit of the institutions specified. Said levy shall first be made in the year 1913, and annually thereafter. The money realized from such levies shall be held by the treasurer of state for the institutions and purposes herein stated and shall be drawn from the state treasury on vouchers and abstracts executed and approved as provided by the law as it appears in sections twenty-seven hundred twenty-seven-a41, twenty-seven hundred twenty-seven-a42 and twentyseven hundred twenty-seven-a43 of the Supplement to the Code, 1907, so far as applicable, and when not applicable upon vouchers and abstracts approved by the board of control of state institutions.

Sec. 2. No part of the levies herein provided for shall be expended for new buildings the probable cost of which shall exceed five thousand dollars, without first submitting to the General Assembly for its approval, plans and specifications prepared by an architect, together with estimates of the cost of such buildings, provided that if the board of control of state institutions deem it advisable to make any deviation from or addition to the plans, specifications and estimated cost so submitted to the General Assembly, the board shall first secure the approval thereof by a majority vote of the executive council but the executive council shall not approve any deviation from such plans and specifications during any session of the General Assembly nor which will probably cost more than twenty-five thousand dollars as to any one building. The executive council may, however, during the interim between sessions of the General Assembly on application of said board, approve plans, specifications and expenditures for buildings the necessity for which is created by fire or other casualty.

Sec. 3. All acts and parts of acts in conflict with this act are hereby repealed.

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.

Read first and second time and placed on calendar.

HOUSE MESSAGES CONSIDERED.

House File No. 574, a bill for an act to repeal section five hundred forty-nine (549) of the code and to enact a substitute therefor, relating to the publication of notices.

Read first and second time and referred to Sifting committee.

House File No. 663, a bill for an act to permit cities and towns to own and operate theaters, and to provide for the levying and collection of a special tax for the purchase, construction, equipment and maintenance of same.

Read first and second time and referred to Sifting committee.

House File No. 505, a bill for an act to amend section two thousand five hundred forty (2540), supplement to the code, 1907, and chapter one hundred fifty-three (153), acts of the Thirty-third General Assembly, relating to season during which fish may be taken.

Read first and second time and referred to Sifting committee.

House File No. 619, a bill for an act to amend section five (5), chapter sixty-nine (69), of the acts of the Thirty-third General Assembly, relating to the publication of the primary ballot.

Read first and second time and referred to Sifting committee.

House File No. 627, a bill for an act to require railroads to stop passenger trains at stations maintained by them when signalled so to do.

Read first and second time and referred to Sifting committee.

House File No. 622, a bill for an act to regulate the levy and collection of special assessments in cities and towns and cities acting under special charter and cities under commission plan of government (amendatory to chapter seven (7), title five (5) of the code.)

Read first and second time and referred to Sifting committee.

House File No. 223, a bill for an act to amend section sixteen hundred fifty-seven-n (1657-n), supplement to the code, 1907, relative to the compensation of the secretary of the department of agriculture.

Read first and second time and referred to Sifting committee.

Senate File No. 230, a bill for an act to appropriate money toward the expense of paving East Washington street in the city of Mount Pleasant, Iowa.

HOUSE SUBSTITUTE AMENDMENT.

A BILL for an Act to Appropriate Money to Aid in Paving East Washington Street in the City of Mount Pleasant, Iowa.

Whereas, The city of Mount Pleasant, is requiring to be paved the street known as East Washington street, which leads from the public square of the city eastward in front of a part of the grounds of the Mount Pleasant state hospital, and

Whereas, Said street is much used for heavy traffic of the hospital, particularly so much of the street as is in front of and adjacent to the grounds of the hospital, and

Whereas, The state should bear its just proportion of the cost, therefore

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of three thousand dollars, or so much thereof as may be necessary, for the purpose of curbing, guttering and paving East Washington street, Mount Pleasant, Iowa. The money hereby appropriated shall be used to curb, gutter and pave said street in front of the grounds of said institution and the street intersection adjoining.

Sec. 2. The money hereby appropriated shall be expended under the direction of the board of control of state institutions and be drawn from the state treasury on vouchers and abstracts approved by said board.

Sec. 3. The above appropriation, nor no part thereof shall be available until the city of Mount Pleasant paves that part of said street extending from the state hospital grounds to a point in said street extending from the state hospital grounds to a point in said street where the paving is already laid.

Substitute read first and second time.

Passed on file.

Senate File No. 477, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contests in the nineteenth (19) senatorial district of Iowa, and in the forty-sixth (46) senatorial district of Iowa, and to pay sundry persons for services, mileage and other expenses incurred in connection with said election contests.

HOUSE AMENDMENTS.

That the words and figures "one thousand eighty-five and eighty-one one-hundredths dollars ($1,085.81)" be stricken from the second and third

lines of section one and that there be substituted in lieu thereof the words and figures, "nine hundred eighty-five and eighty-one one-hundredths dollars ($985.81)."

That the word "four" preceding the word "hundred" in lines two and seven of section two be stricken out and the word "three" be substituted therefor; that the figures "482.84" in the third and eight lines be stricken out and figures "382.84" be substituted therefor; that the figures "272.94" in the tenth line of section two be stricken out and the figures "172.94" be subsituted therefor, and that the twelfth line of section two be stricken out.

Passed on file.

Senate File No. 99, a bill for an act amending section seven hundred ninety-two (792) of the code of 1897, relating to street improvements.

HOUSE AMENDMENT.

Add to section 1: "Provided, however, no salvage may be sold hereunder until the owner, or his agent, of abutting property shall have been given ten days' notice in writing requiring him to elect whether he himself desires such salvage, which notice shall be personally served on the owner or his agent, or, if neither be found, by posting in a conspicuous place on the abutting property. The election, if made, shall be in writing and filed with the city clerk. Any owner electing to take his salvage shall not be entitled to a pro rata distribution derived from the proceeds of sale of any salvage hereunder."

Passed on file.

Senate File No. 79, a bill for an act to amend section twenty-eight hundred twenty-three-a (2823-a) and to amend section twenty-eight hundred twenty-three-i (2823-i), supplement to the code, 1907, relative to the attendance of children of a certain age in public schools.

HOUSE AMENDMENT.

That the words, as well as the figures, referring to chapters of the acts of the Thirty-third General Assembly, be inserted in both the title and the second line of the bill, and that the last three words in section 1 be stricken out and the following inserted in lieu thereof: "that of pupils who hav completed the eighth grade."

Passed on file.

Senate File No. 76, a bill for an act to amend section twenty-six hundred eight (2608) of the supplement to the code of 1907, and establish a minimum monthly allowance for the support of the soldiers' home.

HOUSE AMENDMENT.

Strike out section 2.

Passed on file.

THIRD READING OF BILLS.

On motion of Senator Larrabee, Senate File No. 79, a bill for an act to amend section twenty-eight hundred twenty-three-a (2823-a) and to amend section twenty-eight hundred twenty-three-i (2823-i), supplement to the code, 1907, relative to the attendance of children of a certain age in public schools, was taken up, and considered.

Senator Larrabee moved that the Senate concur in the following House amendments:

HOUSE AMENDMENT.

That the words, as well as the figures, referring to chapters of the acts of the Thirty-third General Assembly, be inserted in both the title and the second line of the bill, and that the last three words in section 1 be stricken out and the following inserted in lieu thereof: "that of pupils who have completed the eighth grade."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Arney, Boe, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Ream, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Farr, Francis, Jones, McColl, Quigley, Robinson, Webber—16.

So the amendments having received a constitutional majority were declared concurred in.

On motion of Senator Arney, Senate File No. 76, a bill for an act to amend section twenty-six hundred eight (2608) of the supplement to the code of 1907, and establish a minimum monthly allowance for the support of the soldiers' home, was taken up, and considered.

Senator Arney moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT.

Strike out section 2.

On the question, "Shall the Senate concur in the House amendment?"

The ayes were:

Allen, Arney, Balkema, Balluff, Darrah, Doran, Dunnegan, Fellows, Gillette, Hagemann, Heald, Hilsinger, Jewell, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigey, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Ames, Boe, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Farr, Francis, Garrett, Jones, McColl—13.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator Neal, Senate File No. 230, a bill for an act to appropriate money toward the expense of paving East Washington street in the city of Mount Pleasant, Iowa, was taken up, and considered.

Senator Neal moved the following substitute for the original bill be adopted.

HOUSE SUBSTITUTE AMENDMENT.

A BILL for an Act to Appropriate Money to aid in Paving East Washington Street in the City of Mount Pleasant, Iowa.

Whereas, The city of Mount Pleasant, is requiring to be paved the street known as East Washington street, which leads from the public square of the city eastward in front of a part of the grounds of the Mount Pleasant state hospital, and

Whereas, Said street is much used for heavy traffic of the hospital, particularly so much of the street as is in front of and adjacent to the grounds of the hospital, and

Whereas, The state should bear its just proportion of the cost, therefore

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of three thousand dollars, or so much hereof as may be necessary, for the purpose of curbing, guttering and paving East Washington street, Mount Pleasant, Iowa. The money hereby appropriated shall be used to curb, gutter and pave said street in front of the grounds of said institution and the street intersection adjoining.

Sec. 2. The money hereby appropriated shall be expended under the direction of the board of control of state institutions and be drawn from the state treasury on vouchers and abstracts approved by said board.

Sec. 3. The above appropriation, nor no part thereof shall be available until the city of Mount Pleasant paves that part of said street extending from the state hospital grounds to a point in said street where the paving is already laid.

Adopted.

Senator Neal moved that the rule whereby no bill may be read the second and third time the same day be suspended.

Carried.

Senator Neal 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 ayes were:

Allen, Arney, Balkema, Balluff, Darrah, Doran, Dunnegan, Raarr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Ames, Boe, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Francis, McManus, Perkins, Quigley, Webber—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator White, Senate File No. 267, a bill for an act to amend section two thousand seventy-seven-a (2077-a) of the supplement to the code, 1907, relating to the posting of bulletins at railway stations, was taken up, and considered.

Senator White moved that the following House substitute be adopted for the original bill:

HOUSE SUBSTITUTE AMENDMENT.

A BILL for an Act to Amend Section Two Thousand Seventy-seven-a (2077-a) Supplement to the Code, 1907, as Amended by Chapter One Hundred Twenty-five (125) of the Acts of the Thirty-third General Assembly, Relating to the Posting of Bulletins at Railway Stations.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section two thousand seventy-seven-a (2077-a) Supplement to the Code, 1907, as amended by chapter one hundred twenty-five (125) of the acts of the Thirty-third General Assembly be and the same is hereby amended by adding the following thereto:

"And at all stations where a telegraph or telephone operator is maintained, such bulletin shall indicate whether said trains are late or on time, and if late, the approximate number of minutes late. If the train is less than ten (10) minutes late, the same shall be considered on time for the purpose of this act.

Sec. 2. Any agent, telephone or telegraph operator of such railroad corporation who shall violate 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 five dollars ($5.00) nor more than fifty dollars ($50.00)."

Adopted.

Senator White 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 ayes were:

Arney, Balkema, Clarkson, Darrah, Doran, Dunnegan, Fellows, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Neal, Nye, Perkins, Ream, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balluff, Boe, Chase, Cowles, Crist, Crow, DeWolf, Farr, Francis, Garrett, Mattes, McColl, McManus, Quigley, Robinson, Taylor, Webber—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Jones, Senate File No. 142, a bill for an act to repeal chapter one hundred thirty-seven (137) of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor relating to the support of the industrial schools, was taken up, and considered.

Senator Jones moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS TO SECTION 1.

By striking out the words "five hundred" in line 13 and insert in lieu thereof the words "four hundred eighty"; by striking out the words "six thousand five hundred" in line 15 and insert in lieu thereof the words "six thousand two hundred forty"; by striking out the words "two hundred fifty" in line 16 and insert in lieu thereof the words "two hundred thirty-five" and by striking out the words "four thousand" in line 18 and insert in lieu thereof the words "three thousand seven hundred sixty."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Arney, Balkema, Boe, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Nye, Perkins, Ream, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balluff, Chase, Clarkson, Cowles, Crist, DeWolf, Farr, Garrett, Jewell, Neal, Quigley, Robinson, Savage, Taylor, Webber—17.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator Jones, Senate File No. 259, a bill for an act to repeal section 2308-a of the supplement to the code, 1907, and to enact a substitute therefor, relating to the payment of costs and expenses of non-resident insane patients, was taken up, and considered.

Senator Jones moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS.

That section one be amended by striking out of the fourth line thereof the following: "Section 2."

Also insert the words "twenty-three hundred eight-a" and put figures in parenthesis in section 1 and title."

On the question, "Shall the Senate concur in the House amendments?"

The ayes were:

Arney, Balkema, Balluff, Darrah, Doran, Dunnegan, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Ream, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

None.

Allen, Ames, Boe, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Farr, Garrett, Quigley, Robinson, Savage, Schrup, Taylor, Webber—17.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator Heald, Senate File No. 427, a bill for an act to amend section seven hundred fifty-one (751) of the code, relating to streets and public grounds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Heald 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 ayes were:

Ames, Arney, Balkema, Clarkson, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Kimball, Legel, Malmberg, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—33.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Boe, Chase, Cowles, Crist, DeWolf, Farr, Francis, Hagemann, Jones, Larrabee, Mattes, Savage, Smith, Taylor, Wilson of Clinton—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The time having arrived for special order, Senate File No. 3, a bill for an act to provide, secure and pay compensation for employes who sustain personal injury while in line of duty, was taken up, and considered.

Senator Clarkson moved that wherever the words "Iowa Industrial Commission" occur in the bill that same be changed to read "Iowa Industrial Commissioner."

Adopted.

Senator Clarkson offered the following amendment and moved its adoption:

I move to strike out of the bill sub-division "c," section 10, as the same appears in Senate journal, page 1945, line six, beginning with the word "provided" and ending with the word "therefor."

Adopted.

Senator Clarkson offered the following amendment and moved its adoption:

I move to substitute the following for section 20 of the bill:

"Sec. 20. The Iowa industrial commissioner co-operating with a committee of employers affected by this act, shall fix standards of safety for safety appliances or places of employment, except mines under jurisdiction of the mine inspectors."

Adopted.

Senator Clarkson offered the following amendment and moved its adoption:

I move to strike out the words "insurance department" in line 10, section 44, as the same appears in Senate journal, page 1959, and substitute therefor the words, "Iowa industrial commissioner."

Senator Clarkson offered the following amendment and moved its adoption:

I move to amend the bill by adding thereto the following as section 50, and that section 50 of the bill be renumbered as section 51

"Where an employer coming under this act furnishes proofs to the insurance department satisfactory to the insurance department and Iowa industrial commissioner, of such employer's solvency and financial ability to pay the compensation and benefits as by this act provided and to make such payments to the parties when entitled thereto, or when such employer deposits with such insurance department scurity satisfactory to such insurance department and the Iowa industrial commissioner as will secure the payment of such compensation, such employer shall be relieved of the provision of section forty-two (42) of this act. Provided that such employer shall from time to time, as may be required by such insurance department and Iowa industrial commissioner, furnish such additional proof of solvency and financial ability to pay as by this section of this act provided.

The insurance department and Iowa industrial commissioner may at any time upon reasonable notice given to such employer revoke any order or approval theretofore made as by this act provided and within the contemplation of this section.

Adopted.

Senator Clarkson moved to strike out of the last line of section 51 the word "and" and capitalize "any"; also to strike out the word "took" and insert the word "take."

Adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend section nine of Senate File No. 3 by striking therefrom the words "or one employed at the office or place of business" in the last two lines on the bottom of page 1944 of the printed bill.

Adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend section six of Senate File No. 3 by striking from said section all that part after the words "Iowa industrial commission," in the eighth line of the printed bill.

Adopted.

Senator Smith offered the following amendment and moved its adoption:

I move to amend Senate File No. 3 as follows:

Substitute for sub-division (a), section four (4), the following: "When the employer or employee has given notice in compliance with this act electing to reject the terms thereof, such election shall continue and be in force until such employer or employee shall thereafter elect to come under the provisions of this act as is provided in subdivision (b) of this section."

Adopted.

Senator Webber offered the following amendment and moved its adoption:

I move to amend Senate File No. 3 as printed on page 1942 of the journal by inserting after the word "affidavit" the words "to be filed with said notice."

Adopted.

Senator Webber offered the following amendment and moved its adoption:

I move to amend Senate File No. 3 as printed on page 1944 of the journal by striking from the 14th and 15th lines of section 9 the words, "or to the fraud, misrepresentation or deceit of another."

Lost.

Senator Webber offered the following amendment and moved its adoption:

I move to amend Senate File No. 3 as printed on page 1945 of the journal by setriking from line 1 of sub-division (b) the word "four" and inserting in its place the word "two."

Adopted.

Senator Webber offered the following amendment and moved its adoption:

I move to amend section 10 of the bill as printed on page 1946 of the journal by striking out all of subdivision "j."

On the adoption of the amendment, a roll call was demanded.

Those favoring the amendment were:

The ayes were:

Ames, Balkema, Balluff, Boe, Cowles, Dunnegan, Fellows, Hagemann, Hilsinger, Jewell, Jones, Kimball, McColl, Nye, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Webber—22.

The nays were:

Allen, Chase, Clarkson, Crist, Crow, Darrah, Doran, Francis, Garrett, Gillette, Heald, Larrabee, Legel, Malmberg, Perkins, Quigley, Ream, Wilson of Appanoose—18.

Absent or not voting:

Arney, DeWolf, Farr, Mattes, McManus, Neal, Taylor, Thomas, White, Wilson of Clinton—10.

So the amendment was adopted.

Senator Clarkson moved that in sub-division (i) page 1946 of the Journal, that the words and figures "twelve dollars ($12.00)" be stricken, and that the words and figures "ten dollars ($10.00)" be inserted in lieu thereof.

Adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend section fifteen (15) as it appears on page 1949 of the Journal by striking it out and substituting therefor:

In any case where the period of compensation can be determined definitely either party may, upon due notice to the other, apply to any judge of the district court for the county in which the accident occurred for an order commuting future payments to a lump sum. And such judge may make such an order when it shall be shown to his satisfaction that the payment of a lump sum in lieu of future monthly or weekly payments, as the case may be, will be for the best interest of the person or persons receiving or dependent upon said compensation, or that the continuance of periodical paymets will as compared with lump sum payments entail undue expense or undue hardship upon the employer liable therefor.

Where the commutation is ordered, the court shall fix the lump sum to be paid at an amount which will equal the total sum of the probable future payments capitalized at their present value and upon the basis of interest calculated at 5 per cent per annum. Upon the payment of such amount the employer shall be discharged from all further liability on account of such injury or death, for which said compensation was being paid, and be entitled to a duly executed release, upon filing which the liability of such employer under any agreement, award, finding or judgment shall be discharged of record.

Adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend section 31 of Senate File No. 3, by adding thereto the following: "Any physician so examining any injured employe shall not be prohibited from testifying before the Iowa industrial commissioner or any other person, commission or court, as to the results of his examination or the condition of the injured employe."

Adopted.

Senator Webber offered the following amendment and moved its adoption:

I move to amend clause F of section sixteen (16) as it appears on page 1950 of the Journal, by striking out all of the clause after the word "than" in the sixth line thereof and substituting therefor the following "one hundred (100)".

Lost.

Senator Webber offered the following amendment and moved its adoption:

I move to amend Senate File No. 3 on page 1950 of the Journal by inserting after the word "only" in line 6 of sub-division "B" the words as follows. "But clerical work shall not include one who may be subjected to the hazards of bussiness."

Adopted.

Senator Webber offered the following amendment and moved its adoption:

I move to amend Senate File No. 3 by adding to sub-division (1) of section 17, page 1951 of the Journal ,as follows:

No surviving spouse shall be entitled to the benefits of this act unless she shall have been married to the deceased at the time of the injury.

Adopted.

Unanimous consent was given to change the terms "Industrial Commission" or "Industrial Commissioner" wherever they occur in the bill to "Iowa Industrial Commissioner."

Senator Clarkson 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 ayes were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Perkins, Ream, Robinson, Schrup, Sheean, Sullivan, Thomas, Webber, Wilson of Appanoose—33.

The nays were:

Arney, Dunnegan, Farr, Fellows, Hagemann, Jones, Kimball, Mattes, Nye, Savage, Smith, Spaulding, Taylor, White, Wilson of Clinton—15.

Absent or not voting:

Cowles, Quigley—2.

Senator Kimball filed the following explanation of his vote on Senate File No. 3.

I am opposed to the present employers' liability law pending before the senate, because:

1. It discriminates between the employees in the various industries of the state and will put some employees under the act, while others will not receive the compensation it provides.

2. It is unfair to the employer, for it will result in unduly raising the rates of indemnity insurance.

3. It discriminates between the man with a family dependent upon him and the man without, and will tend to give the workingman without wife and children or dependents employment against those that have.

4. It is apparently drawn for the benefit of workingmen in one or a few industries and not for all.

5. It places too much power in the hands of a single commissioner, to determine controversies between employer and employed involving a great expenditure of moneys in the aggregate.

6. Under it, most employers will not elect to come under the provisions of the law, thus depriving the employed of compensation for injuries without expensive lawsuits.

7. Employers can obtain cheaper insurance by not coming under the law than by remaining under it; hence will not accept its provisions, but will have to pay a greater indemnity insurance than at present.

8. Lastly, because I believe an employers' liability law should treat all employees alike and should not discriminate between them, and should furnish all a fair compensation for injury and death. That such a law should not be elective, but compulsory, except as to insurance; that is, each employer should contribute to a fund or furnish indemnity insurance that will furnish equal compensation to all injured workmen and be so distributed that the whole industry of the state shall bear the burden so that none of our industries may greatly suffer or be driven from the state.

CLEM F. KIMBALL.

EXPLANATION OF VOTE BY SENATOR SCHRUP ON SENATE FILE NO. 3.

MR. PRESIDENT—While I am heartily in favor of the purpose sought to be attained by this bill, and while I feel that a laboring man who is injured while engaged in providing us with the necessaries and com-

forts of life, is just as much entitled to relief at the hands of the community as a soldier who is injured in battle. I feel that all this burden should not be born by the employer, but should at least partly be assumed by the state, and while I do not approve of some of the other provisions of this bill, I also realize that we cannot expect perfection in such a far reaching departure at once, I am willing to give the proposition a fair trial, and will accordingly vote for it.

N. J. SCHRUP.

Senator Clarkson offered the following amendment to the title and moved its adoption:

" I move the following as a substitute for the title:

A BILL for an Act Relating to Employers' Liability for Personal Injury Sustained by Employees in Line of Duty Fixing Compensation therefor, Securing the Payment thereof, Providing for the Appointment of a Commissioner and Defining his duties.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended was agreed to.

Senator Clarkson moved that the vote by which Senate File No. 3 passed the Senate be reconsidered, and that the motion to reconsider be laid on the table.

Carried.

THIRD READING OF BILLS.

On motion of Senator Francis, House File No. 160, a bill for an act to repeal sections 193 and 194 of the code, and to enact a substitute therefor providing for an increase in the number of judges in the supreme court of Iowa, and providing for a division of said court into sections, and to amend section 1066 of the supplement to the code, 1907, in reference to the selection of the chief justice of said court, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Francis moved the adoption of the following amendment:

By striking out the word "approval" in the second line of section 2 and inserting in lieu thereof the words "taking effect". Also by striking out the letter "s" in the word "appointees" in line 10 and by striking out the word "separately" in line 10 of said section 2, and by striking out the word "any" in line 12 and inserting in lieu thereof the word "such". Also that section 2 be amended by inserting between the word "qualified" and the period in line 15 "which successor shall, at the general election in the year 1914 and each six years thereafter, be elected for the full term of six years." And by striking out all of the remainder of said section 2.

Adopted.

Senator Francis offered the following amendment and moved its adoption:

I move that the following be substituted for section four of the bill.

Sec. 4. Section ten hundred sixty-six (1066 of the Supplement to the Code, 1907, is hereby amended by striking out the words "and the judge whose term of office shall soonest expire shall be chief justice and when it occurs that two judges shall be equally entitled, they shall each hold the place of chief justice for one year and the one who is senior in age shall hold for the first of the two years to which they are equally entitled," and insert in lieu thereof the following:

"Of the judges whose terms of office first expire, the senior in time of service shall be chief justice for one year, and, if there be but two of them, the junior for one year, and so on in rotation. If two or more are equal in time of service, then the right to the position and the order in which they serve shall be determined by seniority in age. And at the last term in each year, the supreme court shall determine and enter of record, who, under these rules, shall be chief justice for the year next ensuing."

Adopted.

Senator Francis 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 ayes were:

Allen, Ames, Arney, Balluff, Boe, Chase, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg,

Mattes, Neal, Nye, Quigley, Robinson, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

Larrabee, Sheean—2.

Absent or not voting:

Balkema, Clarkson, Crist, DeWolf, Jewell, McColl, McManus, Perkins, Ream, Savage, Webber—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Mattes, Senate File No. 522, a bill for an act to establish an insurance department, providing for an insurance commissioner, defining his duties, fixing his compensation and determining his term of office, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Mattes moved the adoption of the following amendment offered by the committee on Appropriations:

"Strike out in the eighteen and nineteen (18th and 19th) lines of section one (1) the words and figures "forty-five hundred dollars ($4500.00) and insert in lieu thereof the words and figures "three thousand dollars ($3000.00)"; also strike out in line four (4) of section three (3) the words and figures "twenty-four hundred dollars ($2400.00) and insert in lieu thereof the words and figures "eighteen hundred dollars ($1800.00); also strike out in the fifteen (15) line of section three (3) the words and figures "eighteen hundred dollars ($1800.00) and insert in lieu thereof the words and figures "sixteen hundred dollars ($1600.00); also strike out of line sixteen (16) in section three (3) the words and figures fifteen hundred dollars ($1500.00)" and insert in lieu thereof the words and figures "fourteen hundred dollars ($1400.00); also strike out in lines twenty-five (25) and twenty-six (26) of section three (3) the words and figures "two thousand dollars ($2000.00) and insert in lieu thereof the words and figures "one thousand dollars ($1000.00)".

Adopted.

Senator Larrabee offered the following amendment and moved its adoption:

I move to strike out the comma following the figures "1914" in line 4 of the printed bill, and insert a semi-colon. Strike out the words that follow, being "and quadrennially thereafter, whose term of office shall commence on the second secular day of January immediately following his appointment and continue for a period of (4) years and until his successor has been duly appointed and has qualified", and insert in lieu thereof the following: "said officer to serve until February 1, 1915. On or before the date of the expiration of the term of office of commissioner hereby provided for, the governor shall nominate, and with the consent of two-thirds of the members of the Senate in executive session, appoint a person for commissioner, who shall be selected solely with regard to his qualifications and fitness to dicharge the duties of this position. No nomination shall be considered by the Senate until the same shall have been referred to a committee of five, not more than three of whom shall belong to the same political party, to be appointed by the president of the Senate without formality of a motion, which committee shall report to the Senate in executive session, which report shall be made at any time when called for by the Senate. The consideration of nominations by the Senate shall not be had on the same legislative day that the nominations are so referred. Subsequent appointments shall be made as above provided, and except to fill vacancies, shall be for a period of four (4) years."

Adopted.

Senator Mattes 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 ayes were:

Ames, Boe, Chase, Clarkson, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Mattes, McColl, McManus, Nye, Robinson, Savage, Schrup, Sheean, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton —28.

The nays were:

Allen, Arney, Balkema, Crow, Darrah, Farr, Francis, Larrabee, Legel, Malmberg, Perkins, Quigley, Ream, Spaulding, White—15.

Absent or not voting:

Balluff, Cowles, Crist, DeWolf, Jewell, Neal, Smith—7.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Farr, House File No. 20, a bill for an act to grant power to cities now or hereafter having a population of twenty thousand or over and organized under chapter fourteen-c (14-c) of title five (V) of the supplement to the code, 1907, and amendments thereto, to assume exclusive charge, custody and control of all trees and shrubbery and the planting and maintenance thereof on the public streets and to provide for the payment of the costs thereof, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Farr moved the adoption of the following amendments:

First by striking out the word "exclusive" in the fifth (5th) line of the original bill.

Second by striking out the word "twenty" in the second line of the original bill and inserting in lieu therof the words "twenty-five."

Third amending the title by striking out the word "exclusive" in the fifth line of the original bill.

Fourth by striking out the word "twenty" in the second line of the title of the original bill and inserting in lieu thereof the words "twenty-five".

Adopted.

Senator Farr 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 ayes were:

Arney, Balkema, Balluff, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, McColl, McManus, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting.

Allen, Ames, Boe, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Garrett, Jewell, Larrabee, Neal, Nye, Thomas—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended was agreed to.

On motion of Senator Dunnegan, House File No. 464, a bill for an act to repeal sections seven hundred twenty-nine-a (729-a), five hundred ninety-two-a (592-a), and seven forty-one-n (741-n), supplement to to code, 1907, and to enact substitutes therefor; to amend section four hundred twenty-two (422), supplement to the code, 1907, and section twenty-eight hundred and six (2806) of the code; all relating to the benefits of free public libraries and to confer additional powers upon boards of library trustees, township trustees, boards of county supervisors, boards of school directors, and city and town councils, in relation thereto.

Senator Dunnegan 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Darrah, Doran, Dunnegan, Fellows, Francis, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—37.

The nays were:

None.

Absent or not voting:

Allen, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Farr, Garrett, Gillette, Jewell, Smith, Wilson of Clinton—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Kimball, House File No. 306, a bill for an act to amend sections seven hundred thirty-two (732) and eight hundred ninety-four (894), of the supplement to the code, 1907, relative to the levying of taxes for public libraries, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball 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 ayes were:

Allen, Balkema, Balluff, Boe, Darrah, Doran, Dunnegan, Farr, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose —36.

The nays were:

None.

Absent or not voting:

Ames, Arney, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Fellows, Garret, Jewell, Savage, Smith, Wilson of Clinton—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Webber, House File No. 493, a bill for an act to prohibit fraudulent advertising, and providing a penalty therefor, with report of committee, without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Thomas offered the following amendment and moved its adoption:

By adding the word "wilfully" after the word "therein" and before the word "makes" in line 5 of the printed bill in section 1.

Withdrawn.

Senator Thomas moved that the bill be laid on the table.

Lost.

Senator Nye moved the previous question.

Carried.

President Pro Tem Savage was called to the chair at 5 P. M.

By unanimous consent Senator Francis offered the following amendment and moved its adoption:

I move to amend by adding after the word "causes," in line 5, of printed bill, the words "with intent to defraud."

Adopted.

Senator Darrah asked whether the amendment and bill was subject to discussion at this time.

The president ruled they were subject to debate.

President Harding resumed the chair at 5:05 P. M.

Senator Sullivan arose to a point of order that as the previous question had been ordered a discussion of the bill was out of order.

President held the point of order well taken.

Senator Webber 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 ayes were:

Allen, Ames, Boe, Crow, Farr, Fellows, Francis, Garrett, Gillette, Heald, Jones, Kimball, Mattes, McColl, McManus, Nye, Robinson, Schrup, Sheean, Smith, Sullivan, Thomas, Webber, White, Wilson of Clinton—25.

The nays were:

Balkema, Balluff, Chase, Clarkson, Cowles, Darrah, Doran, Dunnegan, Hagemann, Larrabee, Legel, Malmberg, Neal, Perkins, Quigley, Savage, Spaulding, Taylor, Wilson of Appanoose—19.

Absent or not voting:

Arney, Crist, DeWolf, Hilsinger, Jewell, Ream—6.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Boe moved that Calendar No. 35, House File No. 173, be made a special order for 10 o'clock A. M. Saturday.

Carried.

On motion of Senator Perkins, Senate File No. 524, a bill for an act to amend section twenty-four hundred three (2403) of the code, relative to the sale of intoxicating liquors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Perkins 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 ayes were:

Allen, Ames, Balkema, Boe, Chase, Clarkson, Crist, Darrah, Doran, Fellows, Francis, Gillette, Hagemann, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Perkins, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose—32.

The nays were:

Cowles, Hilsinger, Quigley, White, Wilson of Clinton—5.

Absent or not voting:

Arney, Balluff, Crow, DeWolf, Dunnegan, Farr, Garrettt, Jewell, Neal, Nye, Ream, Schrup, Sheean—13.

So the bill having received a aonstitutional majority was declared to have passed the Senate and its title was agreed to.

Journal of April 10th was taken up, corrected and approved.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Senate File No. 474, a bill for an act to amend the law as it appears in an act passed by the Thirty-fifth (35th) General Assembly and approved on the 20th day of March, A. D. 1913, and entitled, "A bill for an act additional to chapter five (5), title ten (10) of the Code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same."

Also:

Senate File No. 275, a bill for an act to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act.

Also:

Senate File No. 206, a bill for an act to amend section one (1) chapter one hundred four (104) acts of the Thirty-third 33rd) General Assembly, as amended by chapter seventy-three (73) of the acts of the Thirty-fourth General Assembly, describing the form of index of articles of incorporation, and making it the duty of the recorder to so index said articles.

Also:

Substitute for Senate File No. 249, a bill for an act amending section nineteen (19) and section thirty (30), chapter seventy-two (72) of the acts of the Thirty-fourth General Assembly, providing additional rules and regulations for the operation of motor vehicles upon public highways within the state of Iowa.

Also:

Substitute for Senate File No. 393, a bill for an act to amend section two (2) of chapter one hundred ninety (190), laws of the Thirty-third General Assembly, relative to the library commission and traveling library.

Also:

Senate File No. 162, a bill for an act providing for the paroling of patients in the state hospital for inebriates and certain female patients from state hospitals for the insane, and for he reurn of patients who violate their paroles, and repealing the law as it appears in section twenty-three hundred ten-a-nineteen (2310-19) of the Supplement to the Code, 1907.

Also:

Senate File No. 426, a bill for an act to repeal section three hundred thirteen (313) of the Code and to enact a substitute therefor, relating to the admission to practice of law in this state of attorneys having been duly admitted to practice in other states.

Also:

Senate File No. 140, a bill for an act to repeal the law as it appears in section fifty-six hundred eighty-five-a (5685-a) of the supplement to the Code, 1907, and to enact a substitute therefor in regard to collection of money from visitors and its use.

Also:

Senate File No. 334, a bill for an act providing for the assessment of the cost of main sewers to the property within the territory drained and defining adjacent property relative thereto, and amending section eight hundred forty-d (840-d), of the Supplement to the Code, 1907, relating to the construction of main sewers and paying the cost thereof.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

The President announced that as President of the Senate he had signed in the presence of the Senate, Senate Files Nos. 474, 275, 206, 426, 140, 334, 249, 393 and 162.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 474, a bill for an act to amend the law as it appears in an act passed by the Thirty-fifth (35th) General Assembly and approved on the 20th day of March, A. D. 1913, and entitled "A bill for an act additional to chapter five (5), title ten (10) of the Code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same."

Also:

Senate File No. 275, a bill for an act to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act.

Also:

Senate File No. 206, a bill for an act to amend section one (1) chapter one hundred four (104) acts of the Thirty-third 33rd) General Assembly, as amended by chapter seventy-three (73) of the acts of the Thirty-fourth General Assembly, describing the form of index of articles of incorporation, and making it the duty of the recorder to so index said articles.

Also:

Senate File No. 426, a bill for an act to repeal section three hundred thirteen (313) of the Code and to enact a substitute therefor, relating to the admission to practice of law in this state of attorneys having been duly admitted to practice in other states.

Also:

Senate File No. 140, a bill for an act to repeal the law as it appears in section fifty-six hundred eighty-five-a (5685-a) of the Supplement to the Code, 1907, and to enact a substitute therefor in regard to collection of money from visitors and its use.

Also:

Senate File No. 334, a bill for an act providing for the assessment of the cost of main sewers to the property within the territory drained and defining adjacent property relative thereto, and amending section eight hundred forty-d (840-d), of the Supplement to the Code, 1907, relating to the construction of main sewers and paying the cost thereof.

Also:

Substitute for Senate File No. 249, a bill for an act amending section nineteen (19) and section thirty (30), chapter seventy-two (72) of the acts of the Thirty-fourth General Assembly, providing additional rules and regulations for the operation of motor vehicles upon public highways within the state of Iowa.

Also:

Substitute for Senate File No. 393, a bill for an act to amend section two (2) of chapter one hundred ninety (190), laws of the Thirty-third General Assembly, relative to the library commission and traveling library.

Also:

Senate File No. 162, a bill for an act providing for the paroling of patients in the state hospital for inebriates and certain female patients from state hospitals for the insane, and for he reurn of patients who violate their paroles, and repealing the law as it appears in section twenty-three hundred ten-a-nineteen (2310-19) of the Supplement to the Code, 1907.

JOHN H. TAYLOR,
Chairman.

Passed on file.

Senator Malmberg, from the committee on Constitutional Amendments, returned to the Senate, Senate Joint Resolutions Nos. 2, 6, 7, 11, and House Joint Resolution No. 2, which were referred to the Sifting committee.

Senator Cowles, from the committee on Insurance, returned to the Senate, Senate File No. 405 and House File No. 335, which were referred to the Sifting committee.

Senator Sullivan, from the committee on Cities and Towns, returned to the Senate, Senate Files Nos. 473, 444, and House File No. 316, which were referred to the Sifting committee.

Senator Crist, from the committee on Public Utilities, returned to the Senate, Senate File No. 433, which was referred to the Sifting committee.

Senator Chase, from the committee on Corporations, returned to the Senate, House File No. 231, which was referred to the Sifting committee.

Senator Clarkson, from the committee on Mines and Mining, returned to the Senate, Senate File No. 412, which was referred to the Sifting committee.

Senator Jewell, from the committee on Public Health, returned to the Senate, House Files Nos. 650 and 651, also Senate Files Nos. 246, 190, 59 and 248, which were referred to the Sifting committee.

Senator Francis, from the committee on Judiciary, returned to the Senate, House Files Nos. 300, 583, 524, 108, 338, 165, 304, 11, 412, 183, 58, 489, 527, 526, 553 and 99; also Senate Files Nos. 528, 533, 364, 415, 197, 193, 634, 23, 290, 515, 173, 350, 500, 451, 515, 191, 462, 150, 203, 171, 390 and 41, which were referred to the Sifting committee.

Senator McColl, from the committee on Banks and Banking, returned to the Senate, House File No. 4 and Senate Files Nos. 403 and 15, which were referred to the Sifting committee.

Senator Thomas, from the committee on Compensation of Public Officers, returned to the Senate, Senate Files Nos. 374 and 490, which were referred to the Sifting committee.

Senator Allen, from the committee on Ways and Means, returned to the Senate, Senate File No. 270, which was referred to the Sifting committee.

Senator Heald offered the following motion:

I move that all bills now on the Senate Calendar and undisposed of on Monday morning, April 14th, be turned over for consideration and disposition to the Sifting committee.

Laid over under the rules.

The following communication received by the President was ordered printed in the Journal:

JOINT RESOLUTION.

Whereas, It appears from investigation recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States, notwithstanding prohibitory statutes enacted by the several states thereof, and

Whereas, The practice of polygamy is generally condemned by the people of the United States, and there is a demand for the more effectual prohibition thereof by placing the subject under federal jurisdiction and control, at the same time reserving to each state the right to make and enforce its own laws relating to marriage and divorce; now, therefore,

Be it Resolved by the Senate, the Assembly concurring, That the application be made and hereby is made to congress under the provisions of article V of the constitution of the United States for the calling of a convention to propose an amendment to he constitution of the United States

whereby polygamy and polygamous cohabitation shall be prohibited, and congress shall be given power to enforce such prohibition by appropriate legislation.

Resolved further, That the legislatures of all other states of the United States, now in session or when next convened, be and they hereby are respectfully requested to joint in this application by the adoption of this or an equivalent resolution.

Resolved further, That the secretary of state be and he hereby is directed to transmit copies of this application to the Senate and House of Representatives of the United States, and to the several members of said bodies representing this state therein; also to transmit copies hereof to the legislatures of all other states of the United States.

THOMAS MORRIS,
President of the Senate.

MERLIN HULL,
Speaker of the Assembly.

A. C. TRETOW,
Acting Chief Clerk.

DEPARTMENT OF STATE.

Received and filed March 26, 1913, 9:10 o'clock.

J. S. DONALD,
Secretary of State.

Senator Balluff 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, APRIL 12, 1913.

Senate met in regular session at 9 o'clock A. M.

President Harding presiding.

Prayer was offered by Rev. P. S. Ervin, East Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Taylor presented a remonstrance of citizens of Van Buren county opposing any change in the school text book law.

Referred to committee on Schools.

Senator Larrabee presented a petition of citizens of Manson, Iowa, urging passage of House File No. 439.

Referred to committee on Judiciary.

Senator Malmberg presented a remonstrance of citizens of Jasper county opposing the permanent tax commission.

Referred to committee on Ways and Means.

Senator Robinson presented a remonstrance of citizens of Iowa Falls, opposing any change in the school text book law.

Referred to committee on Schools.

On request of Senator Webber, leave of absence was granted Senator McColl for the day.

Senator Hilsinger filed the following motion:

I move to reconsider the vote by which the Senate passed resolution to adjourn sine die.

G. E. HILSINGER.

THIRD READING OF BILLS.

On motion of Senator Smith, Senate File No. 381, a bill for an act to repeal section five (5), of chapter ninety-four (94), of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor, relating to the duty of commerce counsel,

with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Smith moved the adoption of the following amendment:

Amend section 1, by striking out the period at the end of said section, and substitute a semicolon therefor, and adding thereto the following: "provided that the duty here enjoined upon the commerce counsel shall not be construed to in anywise limit or abridge the authority or jurisdiction of the attorney general."

Adopted.

Senator Smith 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Cowles, Doran, Dunnegan, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Nye, Perkins, Robinson, Schrup, Smith, Spaulding, Taylor, Thomas, Wilson of Appanoose—29.

The nays were:

Chase, Clarkson—2.

Absent or not voting:

Allen, Crist, Crow, Darrah, DeWolf, Farr, Fellows, Francis, McColl, McManus, Neal, Quigley, Ream, Savage, Sheean, Sullivan, Webber, White, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Larrabee, House File No. 657, a bill for an act to legalize decrees obtained prior to January 1, 1911, where the proof of the publication of an original notice was made by the editor of the newspaper in which the original notice was published, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Larrabee 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Neal, Perkins, Robinson, Schrup, Smith, Spaulding, Taylor, Thomas, Wilson of Appanoose—30.

The nays were:

None.

Absent or not voting:

Boe, Cowles, Crist, Crow, DeWlof, Francis, Hagemann, Jewell, Mattes, McColl, McManus, Nye, Quigley, Ream, Savage, Sheean, Sullivan, Webber, White, Wilson of Clinton—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Hilsinger, Senate File No. 516, a bill for an act to legalize a certain election held January 13, 1913, in the town of Miles, Jackson county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hilsinger 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Ream, Robinson, Schrup, Smith, Spaulding, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Clarkson, Cowles, Crist, Crow, DeWolf, Francis, Jewell, McColl, McManus, Quigley, Savage, Sheean, Sullivan, Webber, White—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Cowles, Senate File No. 118, a bill for an act to confer additional powers upon trust companies and to prescribe the conditions under which they may transact business, was taken up, and considered.

Senator Cowles moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS.

Amend by striking out section 2 up to and including "inhabitants" in line 10.

Amend by changing comma after the word "individuals" in line 8 to a period, and striking out the balance of the section.

Amend by striking out section 5 and renumbering succeeding sections.

Amend by striking out the last sentence of section 8.

Amend section 11 by striking out the word "Code" in line 2 and inserting the words "to the Code" following the word "Supplement".

Amend by inserting the figures in parenthesis following all section numbers in section 11.

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Clarkson—1.

The nays were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Cowles, Doran, Dunnegan, Fellows, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Neal, Nye, Perkins, Ream, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—34.

Absent or not voting:

Crist, Crow, Darrah, DeWolf, Farr, Francis, Garrett, Kimball, Mattes, McColl, McManus, Quigley, Robinson, Webber, White —15.

So the Senate refused to concur in House amendments.

On motion of Senator Jones, Senate File No. 523, a bill for an act to increase the salary of the chief executive officer of the institution for feeble-minded children at Glenwood, Iowa, amendatory of the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code, 1907, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Jones moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Savage, Schrup, Sheean, Smith, Spaulding, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Arney, Clarkson, Cowles, Crist, Crow, DeWolf, Kimball, McColl, McManus, Quigley, Ream, Robinson, Sullivan, Webber, White—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Balluff, Senate File No. 520, a bill for an act to legalize the ordinances, resolutions and amendments to ordinances and resolutions passed and adopted by and the acts of the town council of the town of Buffalo, Scott county, Iowa, since the passage of an act relating to the organization of cities and towns, and known as chapter 26 of the acts of the Thirty-second General Assembly of the state of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balluff 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Thomas, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Clarkson, Cowles, Crist, Crow, DeWolf, Garrett, McColl, McManus, Quigley, Smith, Sullivan, Taylor, Webber, White—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Balkema, House File No. 417, a bill for an act amending chapter one hundred fifty-seven (157) of the acts of the Thirty-fourth General Assembly relative to legalizing certain conveyances by foreign administrators and executors; regulating the proof of titles to real property and legalizing certain instruments and proceedings as against defects arising prior to 1900, and as to defects prior to 1895; legalizing certain proceedings and instruments when of record ten (10) years and regulating proof of title as affected by such defects; legalizing certain instruments executed by executors, administrators, trustees, guardians, referees and commissioners prior to 1903; declaring certain bonds and contracts for deeds void; giving certain assignments the same force and effect as a deed of conveyance; providing that pending litigation shall not be affected by the provisions of this act and giving claimants one (1) year in which to commence actions and barring their rights thereafter, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema moved the adoption of the following amendments:

SENATE AMENDMENTS.

Amend section two (2) by inserting the figures "1900" in lieu of the figures "1895"; also the same change in section four (4), line two (2); also the same change in line two of section six; in section 8 change the figures "1903" to "1900".

Amend the title by striking out the figures "1903" in line ten thereof and inserting in lieu thereof the figures "1910"; also strike out the words "and as to defects prior to 1895" in lines 6 and 7 of the title.

Also strike out the word "not" in the 6th line of section 4; also strike out the word "not" in the 5th line of section 11.

Adopted.

Senator Balkema 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 ayes were:

Allen, Ames, Arney, Balkema, Chase, Darrah, Doran, Dunnegan, Farr, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones,

Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Thomas, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Balluff, Boe, Clarkson, Cowles, Crist, Crow, DeWolf, Fellows, Francis, Jewell, McColl, McManus, Nye, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber, White—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Doran, Senate File No. 399, a bill for an act to amend section 1501, of title 8, chapter 1, of the code relating to the exemption of petitioners from the payment of damages for the establishment of a public highway upon a section line, re-location or vacation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran 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 ayes were:

Allen, Ames, Balkema, Balluff, Darrah, Doran, Dunnegan, Fellows, Francis, Gillette, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Mattes, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Thomas, White, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Arney, Boe, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Farr, Garrett, Heald, Malmberg, McColl, McManus, Perkins, Smith, Sullivan, Taylor, Webber—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Allen, House File No. 519, a bill for an act to amend section one hundred eighty-one (181) of the code, relating to joint committee on retrenchment and reform, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Allen moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Allen moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Thomas, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

Crow, Quigley—2.

Absent or not voting:

Chase, Cowles, Crist, DeWolf, McColl, Sullivan, Taylor, Webber—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Balkema, Senate File No. 536, a bill for an act to amend the law as it appears in section thirty-three (33) chapter seventy-two (72), acts of the Thirty-fourth General Assemby, providing for the expenditure of registration fees of motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Ream, Savage, Sheean, Smith, Spaulding, Thomas, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Balluff, Chase, Clarkson, Cowles, Crist, DeWolf, McColl, Nye, Perkins, Quigley, Robinson, Schrup, Sullivan, Taylor, Webber—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORT OF COMMITTEE.

Senator Allen, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means beg leave to report that they have had under consideration joint resolution hereto attached approving estimates of cost, plans and specifications for the erection of

a gymnasium, reconstruction of roof of medical laboratory, changes in chemical laboratory, ware house, tunnel to Currier hall, kitchen for hospital at the state university; a chemistry building, agricultural laboratories, transportation laboratory, animal husbandry laboratories, at the state college of agricultural and mechnic arts; a dormitory for women and a manual training building at the state teachers college, and recommend the same be referred to the Sifting committee rceommending passage.

SENATE JOINT RESOLUTION NO 14 BY COMMITTEE ON WAYS AND MEANS.

Approving Estimates of Cost, Plans and Specifications for Buildings at the State University, the State College of Agriculture and Mechanic Arts, and the State Teachers College.

Senate Joint Resolution Approving Estimates of Cost, Plans and Specifications for the Erection of New Buildings at the State University, at the State College of Agriculture and Mechanic Arts, and at the State Teachers College.

Joint Resolution Approving Estimates of Cost, Plans and Specifications for the Erection of a Gymnasium, Reconstruction of Roof of Medical Laboratory, Changes in Chemical Laboratory, Ware House, Tunnel to Currier Hall, Kitchen for Hospital, at the State University; a Chemistry Building, Agricultural Laboratories, Transportation Laboratory, Animal Husbandry Laboratories, at the State College of Agriculture and Mechanic Arts; a Dormitory for Women, and a Manual Training Building at the State Teachers College.

Whereas: The state board of education has sumbitted to the Thirty-fifth General Assembly of the state of Iowa, estimates of cost, plans and specifications for the erection of a gymnasium, reconstruction of roof of medical laboratory, changes in chemical laboratory, ware house, tunnel to Currier hall, and kitchen for hospital at the state university; a chemistry building, agricultural laboratories, transportation laboratory, and animal husbandry labotatories, at the state college of agriculture and mechanic arts; a woman's dormitory, and manual training building at the state teachers college, to be built and erected under the provisions of chapter 201 of the acts of the Thirty-fourth General Assembly, and

Whereas: The 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 gymnasium at a cost not to exceed one hundred twenty-thousand dollars ($125,000.00), reconstruction of roof of medical laboratory, at a cost not to exceed twelve thousand dollars ($12,000.00), changes in chemical laboratory at a cost not to exceed eight thousand dollars ($8,000.00), ware house at a cost not to exceed three thousand dollars ($3,000.00); tunnel

to Currier hall at a cost not to exceed thirteen thousand dollars ($13,000), and kitchen for hospital at a cost not to exceed fifteen thousand dollars ($15,000.00), at the state university, submitted to the General Assembly of Iowa for approval, are hereby approved.

Sec. 2. That the plans and specifications for the erection of a chemistry building at a cost not to exceed two hundred fifty thousand dollars ($250,000.00), (ninety thousand dollars ($90,000.00) of this to be taken out of the funds available under the millage tax, and one hundred sixty thousand dollars ($160,000.00) out of a special appropriation granted by the Thirty-fifth General Assembly); agricultural laboratories at a cost not to exceed ninety-five thousand dollars ($95,000.00), transportation laboratory, at a cost not to exceed sixty-five thousand dollars ($65,000.00), animal husbandry laboratories at a cost not to exceed fifty thousand dollars ($50,000.00), at the state college of agriculture and mechanic arts, submitted to the General assembly of Iowa for approval, are hereby approved.

Sec. 3. That the plans and specifications for the erection of a woman's dormitory at a cost not to exceed one hundred thousand dollars ($100,000.00), and a manual training building at a cost not to exceed one hundred thousand dollars ($100,000.00), at the state teachers college, submitted to the General Assembly for Iowa for approval, are hereby approved.

Sec. 4. The state board of education is hereby authorized to erect all of the buildings enumerated in sections 1, 2 and 3 of this joint resolution.

J. H. ALLEN.

Senator Allen moved the adoption of the report of the committee.

Adopted.

So the joint resolution was referred to the Sifting committee.

THIRD READING OF BILLS.

On motion of Senator Francis, Senate File No. 546, a bill for an act to enable benefited property to aid in the construction of trolley or electric railroads or the electrification of steam railroads, being additional to chapter five (5) of title ten (10) of the code of 1897, as amended, was taken up, and considered.

Senator Larrabee offered the following amendment and moved its adoption:

Amend section 2 by inserting after the word "to" in the third line of said section, the words, "and within five miles of" as the same appear in the bill as printed in the Journal.

Adopted.

Senator Larrabee offered the following amendment and moved its adoption:

Amend section 4 by striking out all of said section after the word "be" in the second line of said section, and by inserting in lieu thereof the words "subjected to taxes in aid of railroads, including such tax, to exceed five percentum of the assessed value of said real property, for a period of ten years after said levy." (This amendment is to the bill as it appears in the Journal.)

Adopted.

Senator Larrabee offered the following amendment and moved its adoption:

New section to follow section 3 of the bill in the Journal.

"No tax shall be levied to aid in the electrification of any steam railway for the benefit of any person, firm, or individual, who is not the owner in fee simple of said steam railway, unless with or prior to the presentation of the petition to the board of supervisors asking for said election, the agreement between the person, firm, or corporation proposing to electrify said steam railway, and the owner of said steam railway for its electrification and use, has been presented to the board of railway commissioners, and its duration, terms and conditions found suitable by said board, and said approval made a matter of record in the proceedings of said board of railway commissioners, and certified to such board of supervisors."

Adopted.

Unanimous consent was given to renumber the sections of the bill.

Senator Francis moved that the special order be deferred until 11 o'clock.

Carried.

Senator Francis 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 ayes were:

Allen, Arney, Balkema, Crist, Darrah, DeWolf, Dunnegan, Fellows, Francis, Hagemann, Heald, Jewell, Kimball, Larrabee, Malmberg, Mattes, McManus, Neal, Perkins, Savage, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Clinton—26.

The nays were:

Ames, Balluff, Boe, Chase, Cowles, Crow, Doran, Farr, Garrett, Gillette, Hilsinger, Jones, Legel, Nye, Quigley, Ream, Robinson, Schrup, Wilson of Appanoose—19.

Absent or not voting:

Clarkson, McColl, Sheean, Smith, Thomas—5.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Francis, Senate File No. 513, a bill for an act to amend the law as it appears in section 2578-b of the supplement to the code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Francis 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Smith, Spaulding, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Allen, Clarkson, Crist, Farr, Kimball, Mattes, McColl, McManus, Savage, Sheean, Taylor, Thomas, Webber—13.

So the bill having received a constitutional mapority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Boe, Senate File No. 327, a bill for an act to amend section two thousand seventy-seven (2077), of the supplement to the code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state, at which fairs or expositions are or may hereafter be held, was taken up, and considered.

Senator Boe moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT.

Amend section 1 by striking from line 19 the words "twenty-five" and inserting in lieu therof the words "one hundred."

On the question, "Shall the Senate concur in the House amendments?"

The ayes were:

Boe, Darrah, Doran, Francis, Gillette, Heald, Kimball, Nye, Ream, Smith, Sullivan, Wilson of Appanoose—12.

The nays were:

Ames, Arney, Balluff, Chase, Cowles, Crow, DeWolf, Dunnegan, Farr, Garrett, Hagemann, Hilsinger, Jewell, Larrabee, Legel, Malmberg, McManus, Neal, Perkins, Quigley, Robinson, Schrup, Spaulding, Taylor, Webber, White, Wilson of Clinton—27.

Absent or not voting:

Allen, Balkema, Clarkson, Crist, Fellows, Jones, Matter Mc Coll, Savage, Sheean, Thomas—11.

So the Senate refused to concur in House amendments.

On motion of Senator Darrah, Senate File No. 233, a bill for an act to provide for the election of delegates and alternate delegates to national conventions of political parties; for the election of party national committeemen; and for a preferential vote on president and vice president of the United States (additional to chapter two-a (2-a) Title VI of the supplement to the code, 1907, relating to primary elections), was taken up and considered.

Senator Darrah moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS.

That the title be amended by inserting after the word "question" in the ninth line of the title a colon (:) in place of the comma (,), and by striking out the period (.) after the word "control" in the last line of the title, and inserting in lieu thereof a question mark (?), and that the following in the last two lines of the title be set off in quotation marks ("): "Shall the vote of the state at large or the vote of the congressional district control?".

By striking out the word "or" near the end of the second line of section four (4) and inserting in lieu thereof the word "of".

By striking out the word "seek" in the eighteenth line of section six and inserting in lieu thereof the word "weeks".

By striking out the following "(1087-a-5) in the fourth line on page ten (10) and inserting in lieu thereof "(1087-a25)".

By inserting after the comma (,) following the word "delegates" in the 19th line of section ten (10) the following: "which result shall be determined by the vote of the entire state."

On the question, "Shall the Senate concur in the House amendments?"

The ayes were:

Ames, Arney, Balkema, Balluff, Crist, Crow ,Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—34.

The nays were:

None.

Absent or not voting:

Allen, Boe, Chase, Clarkson, Cowles, Francis, Hagemann, Heald, Hilsinger, Mattes, McColl, McManus, Neal, Savage, Taylor, Wilson of Clinton—16.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator Darrah, Senate File No. 417, a bill for an act providing for the election of United States Senators by a vote of the people, was taken up and considered.

Senator Darrah moved that the following House substitute be adopted for the original bill:

HOUSE SUBSTITUTE AMENDMENT.

A Bill for an Act Providing for the Election of United States Senators by the Vote of the People.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. The names of the candidates of the different parties for United States senator shall, at the primary election and the general election in the year preceding the expiration of the term of office of United States senator, or in case of a vacancy in said office, be placed on the official ballot in the proper place ,and there shall be nominated and elected a United States senator or senators, as the case may be, in the manner now provided by law for the nomination and election of state officers, and all provisions of the law pertaining to the nomination and election of state officers, congressmen and presidential electors shall apply to the nomination and election of United States senators in so far as the same may be applicable, the same as though the words "United States senator" were specifically written therein.

Adopted.

Senator Darrah 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 ayes were:

Ames, Arney, Balkema, Balluff, Crist, Darrah, DeWolf, Fellows, Hagemann, Heald, Jewell, Jones, Larrabee, Legel, Malmberg,

Mattes, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Smith, Spaulding, Thomas, Webber, White, Wilson of Appanoose —29.

The nays were:

Doran—1.

Absent or not voting:

Allen, Boe, Chase, Clarkson, Cowles, Crow, Dunnegan, Farr, Francis, Garrett, Gillette, Hilsinger, Kimball, McColl, McManus, Savage, Sheean, Sullivan, Taylor, Wilson of Clinton—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Mattes, Senate File No. 477, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contests in the Nineteenth (19) Senatorial district of Iowa and in the Forty-sixth (46) Senatorial district of Iowa, and to pay sundry persons for services, mileage and other expenses incurred in connection with said election contests, was taken up and considered.

Senator Mattes moved that Senate concur in the following House amendments:

HOUSE AMENDMENTS.

That the words and figures "one thousand eighty-five and eighty-one one-hundredths dollars" ($1085.81)" be striken from the second and third lines of section one and that there be substituted in lieu thereof the words and figures "nine hunrded eighty-five and eighty-one one-hundredths dollars ($985.81)".

That the word "four" preceding the word "hundred" in lines two and seven of section two be stricken out and the word "three' be substituted therefor; that the figures "$482.84" in the third and eighth lines be stricken out and figures "$382.84" be substituted therfor; that the figures "$272.94" in the tenth line of section two be stricken out and the figures "$172.94" be substituted therefor and that the twelfth line of section two be stricken out.

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Larrabee, Legel, Malmberg, Thomas, Wilson of Appanoose—5.

The nays were:

Allen, Arney, Balkema, Boe, Chase, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Mattes, Quigley, Robinson, Sheean, Smith, Spaulding, Sullivan—26.

Absent or not voting:

Ames, Balluff, Clarkson, Cowles, Crow, DeWolf, Garrett, McColl, McManus, Neal, Nye, Perkins, Ream, Savage, Schrup, Taylor, Webber, White, Wilson of Clinton—19.

So the Senate refused to concur in House amendments.

On motion of Senator Kimball, House File No. 249, a bill for an act making appropriations to reimburse certain employes of the Iowa School for the Deaf, for loss of wearing apparel, by fire, at said school on the 23d day of April, 1911, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball moved that the substitute for the original bill be adopted.

Adopted.

Senator Kimball moved that the report of the committee on claims be adopted.

Adopted.

Senator Kimball 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr ,Fellows, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Boe, Cowles, Crow, DeWolf, Francis, Garrett, Larrabee, McColl, McManus, Savage, Smith, Taylor—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Balkema, House File No. 517, a bill for an act to authorize the Governor to direct the Attorney General to appear in certain cases, for and on behalf of the counties, cities, towns and other municipalities and officers and contractors thereof, and to employ additional legal assistance in such cases and providing for payment thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema moved that the report of the Judiciary committee be adopted.

Adopted.

Senator Balkema 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 ayes were:

Allen, Ames, Arney, Balkema, Crist, Darrah, Doran, Dunnegan, Farr, Francis, Gillette, Hagemann, Hilsinger, Jewell, Jones, Kim-

ball, Larrabee, Malmberg, Neal, Nye, Ream, Robinson, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Balluff, Boe, Chase, Clarkson, Cowles, Crow, DeWolf, Fellows, Garrett, Heald, Legel, Mattes, McColl, McManus, Perkins, Quigley, Savage, Schrup, Sheean, Smith—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Francis, Senate File No. 547, a bill for an act amending the law as it appears in section twenty-nine hundred-a-twenty-three (2900-a-23) of the supplement to the code, 1907, authorizing the executive council to lease lands belonging to the State of Iowa, was taken up and considered.

Senator Francis 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Cowles, Crist, Darrah, DeWolf, Doran, Dunnegan, Francis, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose —36.

The nays were:

None.

Absent or not voting:

Boe, Clarkson, Crow, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, McColl, Quigley, Savage, Webber, Wilson of Clinton—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Heald, Senate File No. 410, a bill for an act to promote the purposes and work of the Iowa State Conference of Charities and Correction, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Heald moved that the substitute for the original bill be adopted.

Adopted.

Senator Heald 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Cowles, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose—38.

The nays were:

None.

Absent or not voting:

Balluff, Chase, Clarkson, Crow, Gillette, Hagemann, McColl, Quigley, Ream, Savage, Webber, Wilson of Clinton—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The time having arrived for Special Order House File No. 173, a bill for an act to amend the law authorizing the sale of intoxicating liquors by permit holders as the same appears in sections twenty-three hundred eighty-five (2385), twenty-three hundred eighty-seven (2387), twenty-three hundred ninety-one (2391),

twenty-three hundred ninety-four (2394), twenty-three hundred ninety-five (2395), twenty-three hundred ninety-six (2396), twenty-three hundred ninety-seven (2397), of the code, and sections twenty-three hundred eighty-six (2386), twenty-three hundred ninety (2390), twenty-three hundred ninety-two (2392), and twenty-four hundred one (2401), of the supplement to the code, 1907, as amended by chapter one hundred thirty-nine (139) of the acts of the Thirty-third General Assembly, and chapter one hundred three (103) of the acts of the Thirty-fourth General Assembly, was taken up and considered.

Senator Crist moved that further action on the bill be deferred until Tuesday at 10 o'clock A. M. and that it be made a special order for that time.

Motion lost.

The report of the committee on the Suppression of Intemperance was adopted.

Senator Boe offered the following amendment and moved its adoption.

Amend substitute by striking out all after the enacting clause and by inserting in lieu thereof the following:

Section 1. That the law as it appears in section twenty-three hundred ninety-four (2394) of the Code as amended by chapter one hundred thirty-nine (139) of the acts of the Thirty-third (33d) General Assembly as amended by chapter one hundred three (103) of the acts of the Thirty-fourth (34th) General Assembly, be and the same is hereby amended by inserting immediately following the word "beverage" found in line thirty-eight (38) of chapter one hundred thirty-nine (139) of the acts of the Thirty-third (33d) General Assembly, the following:

"I hereby further represent that the only intoxicating liquors purchased within the state by, or for me, within the last sixty days are as follows:

..... from .....on the.....day of.....
(quantity) (seller)
..... from .....on the.....day of.....
(quantity) (seller)
..... from .....on the.....day of.....
(quantity) (seller)
..... from .....on the.....day of.....
(quantity) (seller)
..... from .....on the.....day of.....
(quantity) (seller)
..... from .....on the.....day of....."
(quantity) (seller)

Sec. 2. The finding of quantities of alcohol in excess of five (5) gallons at any one time and quantities of intoxicating liquors of any and all other kinds in excess of three (3) gallons at any one time in the possession of any pharmacist or retail druggist holding a permit, or in his place of business, shall be prima facia evidence that such liquors are being kept for illegal sale, and the finding in the possession of any druggist or pharmacist of any bitters, tonic or other so-called medicinal preparation containing alcohol and upon which the United States government tax for the sale of intoxicating liquors is paid or required to be paid, shall be prima facia evidence that such preparation is capable of use as a beverage and that same is kept for the purpose of unlawful sale.

Sec. 3. That the law as it appears in section twenty-three hundred and ninety-nine (2399) of the Code, be and the same is hereby amended by adding to said section at the end thereof the following:

"And when in any action or proceeding, civil or criminal, to which a permit holder is a party, it is found by the court or judge that he has made any sale of intoxicating liquors without first obtaining from the purchaser the request required by law as amended by this act, it shall be the duty of said court to cancel such permit. And in case any pharmacist shall be convicted a second time of a violation of any of the provisions of the law relating to the sale of intoxicating liquors as herein amended and said judgment is certified to the state board of pharmacy, the said board of pharmacy shall cancel the certificate of the pharmacist so reported.

"It shall be the duty of the clerk of any court in which any such finding of illegal sales has been made, whether in a civil or criminal action, to certify a copy of said finding to the commissioners of pharmacy."

Sec. 4. Nothing in this act shall be construed to prevent the cancellation or revocation of pharmacist's certificate of registration by the commissioners of pharmacy under the authority of existing statutes, nor to permit the sale of any liquor containing alcohol, which is, or may be, used as a beverage, even though no special tax may be imposed thereon by the government of the United States.

On the adoption of the amendment a roll call was demanded.

Those favoring the amendment were:

Allen, Ames, Balkema, Boe, Chase, Crist, Darrah, Doran, Francis, Jones, Larrabee, Neal, Nye, Robinson, Smith, Spaulding, Taylor, Thomas—18.

The nays were:

Balluff, Cowles, Crow, DeWolf, Farr, Garrett, Hagemann, Heald, Hilsinger, Jewell, Kimball, Legel, Malmberg, Mattes, McManus,

Perkins, Quigley, Ream, Savage, Schrup, Sheean, Sullivan, Webber, White, Wilson of Appanoose, Wilson of Clinton—26.

Absent or not voting:

Arney, Clarkson, Dunnegan, Fellows, Gillette, McColl—6.

So the amendment was lost.

Senator Francis offered the following amendment and moved its adoption:

Amend substitute by striking out all after the enacting clause and by inserting in lieu thereof the following:

Section 1. That the law as it appears in section twenty-three hundred ninety-four (2394) of the Code as amended by chapter one hundred thirty-nine (139) of the acts of the Thirty-third (33d) General Assembly as amended by chapter one hundred three (103) of the acts of the Thirty-fourth (34th) General Assembly, be and the same is hereby amended by inserting immediately following the word "beverage" found in line thirty-eight (38) of chapter one hundred thirty-nine (139) of the acts of the Thirty-third (33d) General Assembly, the following:

"I hereby further represent that the only intoxicating liquors purchased within the state by, or for me, within the last sixty days are as follows:

..... from .....on the.....day of.....
(quantity) (seller)
..... from .....on the.....day of.....
(quantity) (seller)
..... from .....on the.....day of.....
(quantity) (seller)
..... from .....on the.....day of.....
(quantity) (seller)
..... from .....on the.....day of.....
(quantity) (seller)
..... from .....on the.....day of....."
(quantity) (seller)

Sec. 2. The finding in the possession of any druggist or pharmacist of any bitters, tonic or other so-called medicinal preparation containing alcohol and upon which the United States government tax for the sale of intoxicating liquors is paid or required to be paid, shall be prima facia evidence that such preparation is capable of use as a beverage and that the same is kept for the purpose of unlwaful sale.

Sec. 3. That the law as it appears in section twenty-three hundred and ninety-nine (2399) of the Code, be and the same is hereby amended by adding to said section at the end thereof the following:

"And when in any action or proceeding, civil or criminal, to which a permit holder is a party, it is found by the court or judge that he has made any sale of intoxicating liquors without first obtaining from the purchaser the request required by law as amended by this act, it shall be the duty of said court to cancel such permit. And in case any pharmacist shall be convicted a second time of a violation of any of the provisions of the law relating to the sale of intoxicating liquors as herein amended and said judgment is certified to the state board of pharmacy, the said board of pharmacy shall cancel the certificate of the pharmacist so reported.

"It shall be the duty of the clerk of any court in which any such finding of illegal sales has been made, whether in a civil or criminal action, to certify a copy of said finding to the commissioners of pharmacy."

Sec. 4. Nothing in this act shall be construed to prevent the cancellation or revocation of pharmacist's certificate of registration by the commissioners of pharmacy under the authority of existing statutes, nor to permit the sale of any liquor containing alcohol, which is, or may be, used as a beverage, even though no special tax may be imposed thereon by the government of the United States.

Senator Francis offered the following amendment to the amendment and moved its adoption:

"No provision of this act shall apply to any wholesale druggist or to a pharmacist in the employ of a wholesale druggist."

Adopted.

Senator Legel offered the following amendment to the amendment and moved its adoption:

Amend section one by striking out everything after the word "hereby" in the eleventh line of the substitute bill, and adding the word "repealed."

Also amend by striking out all of sections 2, 3, 4 and 5.

Senator Gillette moved the previous question.

Carried.

The amendment offered by Senator Legel was lost.

The amendment offered by Senator Francis was lost.

Senator Boe 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 ayes were:

Allen, Arney, Balkema, Boe, Clarkson, Crist, Darrah, Fellows, Francis, Jones, Larrabee, Neal, Nye, Robinson, Smith, Spaulding, Taylor, Thomas—18.

The nays were:

Ames, Balluff, Chase, Cowles, Crow, DeWolf, Doran, Farr, Gillette, Hagemann, Heald, Hilsinger, Jewell, Kimball, Malmberg, Mattes, McManus, Perkins, Quigley, Ream, Savage, Schrup, Sheean, Sullivan, Webber, White, Wilson of Appanoose, Wilson of Clinton —28.

Absent or not voting:

Dunnegan, Garrett, Legel, McColl—4.

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. 443, a bill for an act amending section 2126 of the Code, granting to common carriers the right to meet short line competition.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists on its amendments to:

Senate File No. 295, a bill for an act to amend the law as it appears in section 9, chapter 153, acts of the Thirty-third General Assembly, relating to fish and game and to amend the law as it appears in chapter 116 of the acts of the Thirty-fourth General Assembly relating to compensation of fish and game warden, and asks for a conference committee.

Speaker appoints as such committee on part of the House, Representatives Halgrims of Humboldt, Jones of Dickinson, Atkinson of Butler, and McCullough of Dubuque.

A. C. GUSTAFSON,
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. 40, a bill for an act relating to the loaning and depositing public funds by city treasurers.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 398, a bill for an act amending section 922 of the Supplement to the Code, 1907, relating to plats by auditor, providing that no such plats shall be made for real estate situated in cities acting under special charter.

A. C. GUSTAFSON,
Chief Clerk.

Senator Clarkson filed the following motion:

I move to reconsider the vote by which House File No. 493 failed to pass the Senate.

JNO T. CLARKSON.

Senator Savage, from the Sifting committee, offered the following report:

The Sifting committee to whom was referred House Files No. 184, 564, Senate File No. 248 and Senate File No. 242 beg leave to report that they have had the same under consideration, and recommend that the same be referred to the committee on Appropriations.

A. C. SAVAGE,
Chairman.

Senator Savage moved the adoption of the report of the committee.

Adopted.

So the bill was referred to committee on Appropriations.

Senator Perkins moved that the Senate reconsider the vote by which House File No. 173 failed to pass, and that the motion to reconsider be laid on the table.

Carried.

On motion of Senator Crist, Senate File No. 448, a bill for an act for the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick, for a certain tract of land, was taken up and considered.

Senator Crist moved the following substitute for the original bill be adopted:

HOUSE SUBSTITUTE FOR SENATE FILE NO. 448.

A BILL for an Act for the Relief of the Grantees of Elias Myrick, and for the Purpose of having a Patent Issued in the Name of Elias Myrick for a Certain Tract of Land.

Whereas. it appears that Ed Clark and other parties are now the owners of the northeast quarter (NE¼) of the southwest quarter (SW¼) of section nineteen (19), township seventy-seven (77), north, range twenty-two (22), west of the fifth P. M., Iowa, in separate parts or tracts thereof by purchase from the grantees of Elias Myrick, the original purchaser or patentee, and said Ed. Clark and other parties now owning said land, and their grantors, mediate and remote, have been in the actual, open, undisturbed and adverse possession of said land, claiming title thereto and improving the same; and

Whereas, it also appears that the said Elias Myrick, on or about the 31st day of January, 1850, purchased said land from the state of Iowa, the same being Des Moines river grant lands, and paid the sum of one hundred dollars ($100.00) therefor, being at the rate of one dollar and twenty-five cents ($1.25) per acre, as shown by the records of the state land office; and

Whereas, it appears that a certificate of purchase, No. 1346, was issued to the said Elias Myrick, but that no patent for said land has ever been issued to the said Elias Myrick or to any other person; therefore,
Be it Enacted by the General Assembly of the State of Iowa:

Section 1. The governor and secretary of the state of Iowa are hereby authorized and directed to issue a patent in the name of Elias Myrick for the said northeast quarter (NE¼) of the southwest quarter (SW¼) of section nineteen (19), township seventy-seven (77), north, range twenty-two (22), west of the fith P. M., Iowa, and the same to inure to the benefit of the said Ed Clark and others, the present owners of the said forty (40) acre tract.

Sec. 2. This act shall not affect pending litigation.

Adopted.

Senator Crist 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 ayes were:

Allen, Ames, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Apanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Arney, Balkema, Balluff, Boe, Chase, Clarkson, Dunnegan, Farr, Gillette, Hagemann, Heald, Legel, McColl, McManus, Schrup, White—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Thomas moved that the Senate do now adjourn until 1:30 P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M., President Harding presiding.

HOUSE MESSAGES CONSIDERED.

House File No. 443, a bill for an act to amend section twenty-one hundred and forty-five (2145) of the code, title ten (10), chapter seven (7), as amended by chapter ninety-five (95), acts of the Thirty-fourth (34) General Assembly, relating to railroad rates between competing points.

Read first and second time and referred to Sifting committee.

Senate File No. 295, a bill for an act to amend the law as it appears in section nine (9), chapter one hundred fifty-three (153), acts of the Thirty-third General Assembly, relating to the protection of fish and game, and to amend the law as it appears in chapter one hundred sixteen (116) of the acts of the Thirty-fourth General Assembly, relating to the compensation of the fish and game warden.

The President appointed as conference committee on the part of the Senate, Senators Francis, Hilsinger, Fellows and Sheean.

Senate File No. 40, a bill for an act relating to the loaning and depositing of public funds by city treasurers.

Senator Malmberg moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT.

By striking out the following in lines 2, 3 and 4 of section 1 after the word "cities" in line 2, "organized under the provisions of chapter fourteen-c (14-c) of the Supplement to the Code, 1907, and acts amendatory thereto" and inserting in lieu thereof the following: "under the commission form of government."

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Crow, Doran, Dunnegan, Farr, Garrett, Gillette, Hagemann, Heald, Hilsinger, Kimball, Malmberg, McManus, Nye, Perkins, Quigley, Ream, Schrup, Sheean, Smith, Thomas, Wilson of Appanoose—26.

The nays were:

None.

Absent or not voting:

Ames, Chase, Clarkson, Cowles, Crist, Darrah, DeWolf, Fellows, Francis, Jewell, Jones, Larrabee, Legel, Mattes, McColl, Neal, Robinson, Savage, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Clinton—24.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Hagemann filed the following motion:

"I move to reconsider the vote by which Senate File No. 546 passed the Senate."

F. P. HAGEMANN.

Senator Schrup asked unanimous consent that the Senate reconsider the vote by which the report of the committee was adopted, indefinitely postponing House File No. 234.

Objection to reconsideration was made.

By unanimous consent Senator Gillette withdrew Senate File No. 511 from further consideration by the Senate.

The following House Concurrent Resolution was called up for consideration:

"House Concurrent Resolution granting the privilege of members of the Thirty-fifth General Assembly to purchase chair occupied by them during the session."

On motion the resolution was adopted.

THIRD READING OF BILLS.

On motion of Senator Dunnegan, House File No. 380, a bill for an act to fix and declare the liability of persons, firms or private corporations, entering into contracts with the State of Iowa, or with any county, city, town, city organized under special charter, school corporation or with any municipal corporation now exist-

ing or hereafter created and to provide for immunity to witnesses in proceedings to establish such liability and to fix and declare the measure of damages for a violation of this act, was taken up and considered.

The motion filed on April 2d, to reconsider the vote by which bill passed the Senate, prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crist, Crow, Darrah, Doran, Farr, Francis, Garrett, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Neal, Perkins, Robinson, Taylor, Wilson of Clinton—27.

The nays were:

Balluff, Chase, DeWolf, Dunnegan, Gillette, Nye, Quigley, Savage, Schrup, Sheean, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose—15.

Absent or not voting:

Cowles, Fellows, Mattes, McColl, McManus, Ream, Smith, White —8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Clarkson moved that the vote by which House File No. 380 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

President held that as one motion to reconsider had been acted upon, that the motion to reconsider was out of order.

REPORT OF COMMITTEE.

Senator Savage, chairman of the Sifting committee, submitted the following report:

MR. PRESIDENT—Your Sifting committee to whom as referred House File No. 458, a bill for an act to promote patriotism and to provide for the

display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state return the same for the consideration of the Senate.

A. C. SAVAGE,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Robinson, House File No. 143, a bill for an act to repeal the law as it appears in section twenty-five hundred sixty-four (2564) of the supplement to the code, 1907, and to enact a substitute therefor relative to the state board of health, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Robinson moved the adoption of the following amendments, recommended by committee on Appropriations:

Insert in line twenty-two (22) of section one (1) between the words "be" and "required" the words "needed or," and also insert in line twenty-five (25) of section one (1), between the words "exceed and "twenty-five" the words and figures "eight dollars ($8.00) per day nor."

Also strike out in line twenty (20) on page three (3), all in section one (1) the words and figures "twelve hundred (1200) dollars" and insert in lieu thereof the words and figures "nine hundred dollars ($900.00)." Also amend section two (2) by inserting in the second (2d) line thereof, between the words "made" and "for", near the middle of the line, the words "The State Board of Health."

Adopted.

Senator Robinson 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal,

Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Cowles, Crist, DeWolf, Farr, Garrett, Gillette, Hagemann, Heald, McColl, McManus, White—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 618, a bill for an act to repeal chapter 115 laws of the Thirty-third General Assembly relative to the appointment and number of bank examiners.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 684, a bill for an act to amend section 491 of the Code, relative to deputy and clerk hire in the office of treasurer of counties of less than 10,000 population.

A. C. GUSTAFSON,
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. 170, a bill for an act relating to the practice of dentistry, and to repeal sections 2600-i and 2600-j of the Supplement to the Code, 1907.

A. C. GUSTAFSON,
Chief Clerk.

On request of Senator Malmberg, leave of absence was granted Senator Ream for the remainder of the day.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate File No. 531, a bill for an act to provide for the registration of highway routes, together with the names, color combinations and designs used in marking the same; prohibiting the duplications thereof; and providing penalties for the violation of this act.

Also:

Senate File No. 64, a bill for an act to amend section 3340 of the Code, relative to the examination of the owner of claims against estates.

Also:

Senate File No. 354, a bill for an act to amend the law as it appears in section thirty-five hundred thirty-four (3534) of the Code relating to service of original notice by publication.

Also:

Senate File No. 214, a bill for an act authorizing the executive council of Iowa to incur expenses and make expenditures to procure data, make investigations and provide things not otherwise provided to enable said executive council to perform the duties imposed by law, and making appropriation therefor.

Also:

Senate File No. 466, a bill for an act to authorize the board of supervisors of each county in this state to make provision for the segregation, care and support of indigent persons afflicted with pulmonary tuberculosis in advanced stages.

Also:

Senate File No. 250, a bill for an act to repeal sections two (2), six (6), seven (7), eight (8), eleven (11), fifteen (15), sixteen (16), and twenty-two (22), of chapter seventy-two (72) of the acts of the Thirty-fourth General Assembly, and to enact substitute therefor, relating to the registration and regulation of motor vehicles.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Senate File No. 214, a bill for an act authorizing the executive council of Iowa to incur expenses and make expenditures to procure data, make investigations and provide things not otherwise provided to enable said executive council to perform the duties imposed by law, and making appropriation therefor.

Also:

Senate File No. 466, a bill for an act to authorize the board of supervisors of each county in this state to make provision for the segregation, care and support of indigent persons afflicted with pulmonary tuberculosis in advanced stages.

Also:

Senate File No. 250, a bill for an act to repeal sections two (2), six (6), seven (7), eight (8), eleven (11), fifteen (15), sixteen (16), and twenty-two (22), of chapter seventy-two (72) of the acts of the Thirty-fourth General Assembly, and to enact substitute therefor, relating to the registration and regulation of motor vehicles.

Senate File No. 531, a bill for an act to provide for the registration of highway routes, together with the names, color combinations and designs used in marking the same; prohibiting the duplications thereof; and providing penalties for the violation of this act.

Also:

Senate File No. 64, a bill for an act to amend section 3340 of the Code, relative to the examination of the owner of claims against estates.

Also:

Senate File No. 354, a bill for an act to amend the law as it appears in section thirty-five hundred thirty-four (3534) of the Code relating to service of original notice by publication.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

THIRD READING OF BILLS.

On motion of Senator Sullivan, Senate File No. 548, a bill for an act to legalize the issuance of $18,000.00 sewer outlet and disposal or purifying plant bonds of the city of Valley Junction, issued on the 3d day of February A. D. 1913, and secured by special taxes levied and pledged to the payment of said bonds and interest, was taken up, and considered.

Senator Sullivan moved 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Smith, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Cowles, DeWolf, Garrett, Gillette, Hagemann, Larrabee, McColl, McManus, Neal, Ream, Sheean, Spaulding—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

HOUSE MESSAGE CONSIDERED.

Senate File No. 170, a bill for an act relating to the practice of dentistry, and to repeal sections twenty-six hundred-i (2600-i) and twenty-six hundred-j (2600-j), of the supplement to the code, 1907.

Senator Taylor moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT.

That the period at the end of section three be replaced by a comma (,) and the following inserted after said comma: "but nothing in this act shall be construed to prevent a person not a licensed dentist from doing laboratory work".

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Arney, Balluff, Boe, Chase, Clarkson, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Balkema, Cowles, Crist, Gillette, Hagemann, Heald, Kimball, McColl, McManus, Neal, Ream, White—12.

So the House amendment having received a constitutional majority were declared concurred in.

On motion of Senator Thomas, Senate File No. 530, a bill for an act to amend the law relating to the selection of school text books, as it appears in sections twenty-eight hundred thirty-one (2831), twenty-eight hundred thirty-two (2832), supplement to the code, 1907, and twenty-eight hundred thirty-four (2834), of the code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Thomas offered the following amendment and moved its adoption:

Amend section 2, by striking out after the comma following the word "county" in line (16) sixteen, and all of line seventeen (17) up to and including the comma following the words "town school board," and substitute instead the following:

"And two members shall be citizens of the county selected for their special qualifications for the duties to be performed."

Adopted.

Senator Chase moved that further consideration of the bill be deferred until Monday morning at 10 o'clock.

Carried.

On motion of Senator Arney, House File No. 458, a bill for an act to promote patriotism and to provide for the display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state, was taken up, and considered.

Senator Kimball offered the following amendment and moved its adoption:

"I move to amend the second section by striking out the word "shall" and substituting the word "may" in the third line thereof."

Adopted.

The bill was read for information.

Senator Arney moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Boe, Darrah, DeWolf, Dunnegan, Farr, Fellows, Francis, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Nye, Perkins, Robinson, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

Balluff, Crow, Doran, Garrett, Quigley, Schrup, Sheean, Webber—8.

Absent or not voting:

Balkema, Chase, Clarkson, Cowles, Crist, Gillette, Heald, McColl, McManus, Neal, Ream, Savage, White—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

By unanimous consent Senator Arney withdrew Senate File No. 322 from further consideration by the Senate.

Senator Hagemann stated that he would withdraw the objection he had made to a consideration of House File No. 234.

Senator Ames raised objection to a consideration of the bill.

THIRD READING OF BILLS.

On motion of Senator Ames, House File No. 47, a bill for an act to authorize the incorporation in each county of the state of an association for the advancement and improvement of agriculture, animal husbandry and horticulture, to define the powers and rights of such associations and its members, to provide for the submission to the voters of the question of levying a tax in aid of the objects of such association and to provide for the termination of said tax, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Webber offered the following amendment and moved its adoption.

I move to amend section 11 as the same appears in page 993 of the House Journal by inserting after the word "county" in the 5th line, the following words: "who reside outside of any incorporated city or town, and the tax to be voted shall not apply on any property, except outside of such incorporated city or town.

Senator Taylor moved the previous question.

Carried.

The amendment offered by Senator Webber was lost.

Senator Ames 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crow, Darrah, Doran, Farr, Fellows, Francis, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, Nye, Perkins, Quigley, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

Larrabee, Webber—2.

Absent or not voting:

Balluff, Cowles, Crist, DeWolf, Dunnegan, Garrett, Gillette, McColl, McManus, Neal, Ream, Schrup, White—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

President announced that as president of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 531, 64, 354, 214, 466 and 250.

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. 435, a bill for an act to authorize the issue of flood protection bonds by cities of the first class and cities acting under commission form of government.

A. C. GUSTAFSON,
Chief Clerk.

Also :

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. 540, a bill for an act to legalize a special election of the city of Cedar Falls, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also :

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. 436, a bill for an act to grant additional powers to cities organized under the commission plan of goverment and amending section 1, chapter 67 laws of the Thirty-third General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also :

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. 467, a bill for an act to prohibit the removal or destruction of articles placed in public highways for the purpose of guarding or enclosing unsafe places therein and providing penalties for a violation thereof.

A. C. GUSTAFSON,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 531, a bill for an act to provide for the registration of highway routes, together with the names, color combinations and designs used in marking the same; prohibiting the duplications thereof; and providing penalties for the violation of this act.

Also:

Senate File No. 64, a bill for an act to amend section 3340 of the Code, relative to the examination of the owner of claims against estates.

Also:

Senate File No. 354, a bill for an act to amend the law as it appears in section thirty-five hundred thirty-four (3534) of the Code relating to service of original notice by publication.

Also:

Senate File No. 214, a bill for an act authorizing the executive council of Iowa to incur expenses and make expenditures to procure data, make investigations and provide things not otherwise provided to enable said executive council to perform the duties imposed by law, and making appropriation therefor.

Also:

Senate File No. 466, a bill for an act to authorize the board of supervisors of each county in this state to make provision for the segregation, care and support of indigent persons afflicted with pulmonary tuberculosis in advanced stages.

Also:

Senate File No. 250, a bill for an act to repeal sections two (2), six (6), seven (7), eight (8), eleven (11), fifteen (15), sixteen (16), and twenty-two (22), of chapter seventy-two (72) of the acts of the Thirty-fourth General Assembly, and to enact substitute therefor, relating to the registration and regulation of motor vehicles.

JOHN H. TAYLOR,
Chairman.

THIRD READING OF BILLS.

On motion of Senator Wilson of Clinton, House File No. 554, a bill for an act to amend the law as it appears in section six hundred sixty-nine (669) of the supplement to the code, 1907, relative to the compensation of councilmen when acting as members of the Board of Review, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Hagemann, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Sullivan, Webber, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Crist, DeWolf, Farr, Garrett, Gillette, Jewell, Kimball, McColl, McManus, Neal, Ream, Smith, Spaulding, Taylor, Thomas, White—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Balluff, House File No. 90, a bill for an act to repeal section five (5) of chapter sixty-one (61) of the acts of the Thirty-third General Assembly, as amended by chapter fifty (50) of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor relating to pensions for disabled and retired firemen, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balluff 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes,

Neal, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Clarkson, Cowles, Crist, Dunnegan, Gillette, Legel, McColl, McManus, Ream, Smith, Spaulding, Taylor, White—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Savage, House File No. 131, a bill for an act to amend the law as it appears in section seven hundred twenty-four (724), supplement to the code, 1907, and in section eight hundred ninety-four (894), supplement to the code, 1907, relating to the powers of cities and towns, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Savage moved the adoption of the following amendments offered by the committee on Cities and Towns:

Amend by providing that the clause sought to be inserted be inserted at the close of said section, instead of following the word "plants" in the second (2) line thereof, "and shall have the power" to be stricken from said proposed amendment.

Adopted.

Senator Savage moved to reconsider the vote by which the amendments were adopted.

Carried.

Senator Savage moved the amendments offered by the committee on Cities and Towns be adopted.

Lost.

Senator Savage 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Crow, Darrah, Doran, Farr, Fellows, Francis, Hagemann, Heald, Hilsinger, Jewell, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Quigley, Robinson, Savage, Sheean, Smith, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

Chase—1.

Absent or not voting:

Ames, Clarkson, Cowles, Crist, DeWolf, Dunnegan, Garrett, Gillette, Jones, McColl, McManus, Ream, Schrup, Spaulding, Taylor, Webber, White—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Savage, House File No. 212, a bill for an act to amend the law as it appears in section seven hundred twenty (720), supplement to the code, 1907, as amended by chapter forty-four (44), acts of the Thirty-third General Assembly, and chapter thirty-four (34), acts of the Thirty-fourth General Assembly, and to authorize cities and towns to enter into contracts to purchase heat, gas and electric current, and to sell the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Savage 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Nye, Perkins, Quigley, Ream, Savage, Sheean, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Ames, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Gillette, McColl, McManus, Neal, Robinson, Schrup, Smith, Spaulding, Taylor, White—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Mattes, House File No. 259, a bill for an act creating the office of state examiners for counties, fixing their compensation, duties, terms of office and method of appointment, providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, reports and audits for counties, and providing penalties for violation of this act, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Mattes moved the adoption of the following amendments:

Strike out of the second page of section one (1) in line seven (7) the words and figures "$20,000.00 annually," and insert in lieu thereof the words and figures "five thousand dollars ($5,000.00.")

Adopted.

Senator Mattes 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 ayes were:

Allen, Balkema, Balluff, Boe, Chase, Clarkson, Darrah, DeWolf, Doran, Dunnegan, Francis, Garrett, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Mattes, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Thomas—29.

The nays were:

Arney, Farr—2.

Absent or not voting:

Ames, Cowles, Crist, Crow, Fellows, Gillette, Malmberg, McColl, McManus, Neal, Ream, Smith, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Chase, Senate File No. 421, a bill for an act to amend section sixteen hundred fifty-seven-e (1657-e) of the supplement to the code, 1907, relative to the qualifications of board of directors of the state board of agriculture, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Chase 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 ayes were:

Arney, Chase, Clarkson, Dunnegan, Farr, Garrett, Heald, Kimball, Larrabee, Malmberg, Nye, Quigley, Sheean, Sullivan, Wilson of Appanoose, Wilson of Clinton—16.

The nays were:

Allen, Ames, Balkema, Balluff, Boe, Cowles, Darrah, Doran, Fellows, Francis, Hagemann, Hilsinger, Jewell, Jones, Legel, Mattes, Perkins, Robinson, Savage, Schrup, Thomas—21.

Absent or not voting:

Crist, Crow, DeWolf, Gillette, McColl, McManus, Neal, Ream, Smith, Spaulding, Taylor, Webber, White—13.

So the bill having failed to receive a constitutional majority was declared lost.

On motion of Senator Dunnegan, House File No. 484, a bill for an act ot amend section two thousand one hundred and sixteen (2116) of the supplement to the code, 1907, as amended by chapter one hundred twenty-eight (128), acts of the Thirty-third General Assembly, and to define what is reasonable passenger service on certain lines of railroads, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Perkins offered the following substitute for the bill and moved its adoption:

A BILL for an Act to Amend Section Two Thousand One Hundred Sixteen (2116) of the Supplement to the Code, 1907, Granting Additional Powers to the Board of Railroad Commissioners.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section two thousand one hundred sixteen (2116) of the Supplement to the Code, 1907, be, and the same is hereby amended by adding thereto the following:

"That every railway corporation owning or operating lines of railroad of more than twenty-five (25) miles in length within the limits of the state of Iowa, shall upon order of the board of railroad commissioners, there being public necessity therefor, maintain a service of not less than two passenger trains each way every twenty-four hours over the entire length of the division of said line or lines; provided, further, that in any hearing before the board of railroad commissioners the burden of proof as to what constitutes reasonable service shall be upon the railway company."

Lost.

Senator Cowles offered the following amendment and moved its adoption:

"I move to amend by striking from the bill all of section 1 after the word 'it' in the fourth line from the end of the bill."

Senator Francis moved the previous question.

Carried.

The amendment offered by Senator Cowles was lost.

Senator Dunnegan moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Boe, Chase, Clarkson, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, Nye, Robinson, Sheean, Sullivan, Taylor, Thomas, Wilson of Clinton—28.

The nays were:

Cowles, Larrabee, Perkins, Quigley, Webber, Wilson of Appanoose—6.

Absent or not voting:

Balkema, Balluff, Crist, Crow, DeWolf, Gillette, Hagemann, McColl, McManus, Neal, Ream, Savage, Schrup, Smith, Spaulding, White—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Taylor moved to reconsider the vote by which House File No. 484 passed the Senate and to lay the motion to reconsider on the table.

Carried.

On motion of Senator Farr, House File No. 646, a bill for an act granting to cities of all classes and towns power to license and regulate plumbers to determine the qualifications and provide for the examination thereof; to prescribe rules and regulations for the installation of plumbing and the inspection thereof and to provide for the removal of plumbing installed in violation of the manner prescribed and to impose penalties for a violation of ordinances enacted under this act, and to amend section seven hundred (700) of the supplement to the code, 1907, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Farr 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Nye, Perkins, Robinson, Schrup, Sheean, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Cowles, Crist, Crow, DeWolf, Gillette, Hagemann, Hilsinger, McColl, McManus, Neal, Quigley, Ream, Savage, Smith, Spaulding, Taylor, White—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Heald, Senate File No. 186, a bill for an act to repeal section 479 of the supplement to the code, 1907, and to enact a substitute therefor relating to the compensation of county auditors, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Heald moved the substitute for the original bill be adopted.

Senator Sullivan offered the following amendment and moved its adoption:

"I move to amend the substitute for Senate File No. 186 as the same appears on page 1871 of the Senate Journal of April 8th, by adding thereto, after the words and figures "three thousand dollars ($3,000.00)', in the next to the last paragraph in section one (1), and as a separate paragraph, the following: "In counties having a population of one hundred thousand (100,000) or over, three thousand, three hundred dollars ($3,300.00)."

Adopted.

Senator Heald 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Cowles, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Clarkson, Crist, Crow, DeWolf, Gillette, Jewell, McColl, McManus, Neal, Ream, Smith, Spaulding, Taylor—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Balkema, House File No. 673, a bill for an act to prohibit public officers or deputies from divulging any part of the contents of sealed bids and to fix and declare the liquidated damages inuring in favor of municipal corporations by reason of the violation of such prohibition, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema moved the adoption of the following amendment:

Amend by inserting between the words "the" and "municipal" in the tenth (10th) line of section one (1) the words "state, county, city, town school districts or other."

Adopted.

Senator Balkema 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 ayes were:

Ames, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Allen, Arney, Crist, Crow, DeWolf, Gillette, Jewell, McColl, McManus, Neal, Nye, Ream, Smith, Spaulding, Taylor, White—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Boe, House File No. 12, a bill for an act to amend the law as it appears in section twenty-six hundred thirty-four-f (2634-f) of the supplement to the code, 1907, relating to the acceptance of graduation from institutions of higher learning as evidence that a teacher possesses the scholarship and professional fitness for a state certificate, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Boe 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 ayes were:

Ames, Balkema, Balluff, Boe, Clarkson, Darrah, Doran, Dunnegan, Farr, Francis, Garrett, Hagemann, Heald, Hilsinger,

Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Thomas, White, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Allen, Arney, Chase, Cowles, Crist, Crow, DeWolf, Fellows, Gillette, Jewell, McColl, McManus, Neal, Ream, Smith, Spaulding, Sullivan, Taylor, Webber—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Savage, from the Sifting committee, offered the following report:

Your Sifting committee to whom was referred House File No. 506, beg leave to report that they have had the same under consideration and return the same to the Senate for consideration.

A. C. SAVAGE,
Chairman.

Passed on file.

Journal of April 11th was taken up, corrected and approved.

REPORTS OF COMMITTEES.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate File No. 212, a bill for an act to provide for the erection of a women's and children's building on the Iowa state fair and exposition grounds, and to make an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 288, a bill for an act to make an appropriation for the payment of the expenses of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance at the final hearing in the case before the interstate commerce commission involving general advancement in rates; beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

HOUSE MESSAGE CONSIDERED.

House File No. 618, a bill for an act to amend the law as it appears in section eighteen hundred seventy-five (1875), chapter one hundred fifteen (115), of the laws of the Thirty-third (33d) General Assembly, relative to the appointment and the number of bank examiners.

Read first and second time and referred to Sifting committee.

House File No. 684, a bill for an act to amend section four hundred ninety-one (491) of the code, relative to deputy and clerk hire in the office of treasurer of counties containing a population of less than ten thousand.

Read first and second time and referred to Sifting committee.

Senate File No. 435, a bill for an act authorizing the issue of floor protection bonds by cities of the first class, and cities under the commission plan of government.

HOUSE AMENDMENT.

That the following be stricken out of section one "seventy-five thousand (75,000)" and that there be inserted in lieu thereof the following "twenty-five thousand (25,000)".

That there be inserted between the word "and" and "Des Moines" in the third line of section three the word "the".

Passed on file.

Senator Clarkson moved that Calendar No. 18, House Joint Resolution No. 5 be made a special order for next Tuesday morning at 10:30 o'clock.

Carried.

Senator Boe moved that Calendar No. 44, House Joint Resolution No. 1 be made a special order for Monday morning at 10:30 o'clock.

Carried.

Senator Francis moved that Calendar No. 74, House File No. 158 be made a special order for Monday at 11 o'clock A. M.

Motion lost.

Senator Ames, from the committee on Agriculture, returned to the Senate, Senate Files Nos. 188, 137, 7, 453, 56 and House Files Nos. 26 and 381; which were referred to Sifting committee.

Senator Savage, from the committee on Schools, returned to the Senate, House File No. 262, which was referred to the Sifting committee.

Senator Heald, from the committee on Printing, returned to the Senate, Senate File No. 499, which was referred to the Sifting committee.

Senator Balkema, from the committee on Roads and Highways, returned to the Senate, Senate Files Nos. 60 and 514, which were referred to the Sifting committee.

Senator Heald called up for consideration the motion filed by him yesterday, relative to the bills on the calendar that were undisposed of on Monday morning, April 14th.

Senator Heald asked unanimous consent to withdraw the motion.

Objection was made to the motion being withdrawn.

Senator Kimball moved that the consideration of the motion be postponed until Mouday afternoon at 4 o'clock.

Carried.

The president announced that he had communications requiring an executive session.

Senator Francis moved that the Senate do now go into executive session.

Carried.

Senate went into executive session.

EXECUTIVE SESSION.

On motion the Senate advised and consented to the appointment of Senator Anthony M. McColl, Dallas county, Iowa, as a member of the board of control, for the full term, beginning July 1, 1913.

On motion the Senate advised and consented to the appointment of Hon. William J. Dixon, Sac county, Iowa, as a member of the board of control for a term of ..... years, beginning July 1, 1913.

On motion, Senate arose from executive session.

Senate resumed regular session.

Senator Francis moved that the Senate do now adjourn until 9 o'clock Monday.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 14, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. J. F. Bingaman, Highland Park M. E. Church, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Mattes presented a remonstrance of citizens of Sac county protesting against the permanent tax commission.

Referred to committee on Ways and Means.

Senaor Perkins presented a remonstrance of citizens of Delaware county protesting against a permanent tax commission.

Referred to committee on Schools.

Senator Fellows presented a remonstrance of citizens of Allamakee county protesting against any change in the school text book law.

Referred to committee on Ways and Means.

Senator Legel presented a remonstrance of citizens of Rockford, Iowa, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

Senator Thomas presented a remonstrance of citizens of Union county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Darrah presented a remonstrance of citizens of Union county opposing pasage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

Senator Taylor presented a remonstrance of citizens of Van Buren county opposing any change in the present school book law.

Referred to committee on Schools.

Senator Thomas presented a remonstrance of citizens of Union county opposing any change in the present school book law.

Referred to committee on Schools.

Senator Francis presented a remonstrance of citizens of Emmetsburg, Iowa, protesting against a permanent tax commission.

Referred to committee on Ways and Means.

On request of Senator Malmberg, leave of absence was granted Senator Ream for the morning.

On request of Senator Thomas, leave of absence was granted Senator Crist on account of illness.

Senator Chase moved that the Sifting committee be requested to return House File No. 262 to the Senate and that the bill be made a Special Order for 9:30 A. M. today.

Senator Boe asked that the motion be divided before being submitted to the Senate.

Senator Savage moved that further consideration be deferred until 11 o'clock today.

On this motion a roll call was demanded.

Those favoring the motion were:

Balluff, Cowles, DeWolf, Dunnegan, Fellows, Heald, Kimball, Legel, Mattes, McManus, Nye, Perkins, Savage, Schrup, Sheean, Sullivan, Webber, White—18.

The nays were:

Allen, Arney, Balkema, Boe, Chase, Clarkson, Darrah, Doran, Gillette, Jones, Larrabee, Malmberg, Neal, Quigley, Wilson of Appanoose—15.

Absent or not voting:

Ames, Crist, Crow, Farr, Francis, Garrett, Hagemann, Hilsinger, Jewell, McColl, Ream, Robinson, Smith, Spaulding, Taylor, Thomas, Wilson of Clinton—17.

Motion carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and concurred in Senate amendments to the following bill in which the concurrence of the House was asked:

House File No. 312, a bill for an act to confer certain powers on cities organized under the commission form of government and on cities having a population of 5,000 or more organized under chapter 2 of title 5 of the Code and cities organized under special charter, relating to the organization, equipment and operation of fire departments, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists on its amendments to Senate File No. 477, a bill for an act to appropriate money for the purpose of defraying expenses incurred in the election contests in the 19th and 46th Senatorial districts of Iowa, and asks for a conference committee, and the Speaker appoints as such committee on the part of the House, Representatives Larrabee, Halgrims, Barry and Bauman.

A. C. GUSTAFSON,
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. 327, a bill for an act to amend section 2077 of the Supplement to the Code, 1907, relative to passenger rates, and the Speaker appoints as conference committee on the part of the House, Representatives Jacobs, Shankland, Anderson of Greene and White.

A. C. GUSTAFSON,
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 is asked:

Substitute for Senate File No. 118, a bill for an act to confer additional powers upon trust companies, state and savings banks and to prescribe the conditions under which they may transact business and asks a conference committee, and the Speaker appoints as such committee on the part of the House, Representatives Jacobs of Calhoun, Klay of Sioux, Buxton of Warren and Erickson of Lyon.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House concurs in Senate amendments to and has passed the following bill in which the concurrence of the House was asked:

House File No. 417, a bill for an act amending chapter 157 of the acts of the Thirty-fourth General Assembly, relative to legalizing conveyances by foreign adiminstrators and executors.

A. C. GUSTAFSON,
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. 291, a bill for an act to repeal section 5040-a of the Supplement to the Code and to enact a substitute therefor, relative to ball games and other sports on Decoration day.

A. C. GUSTAFSON,
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. 20, a bill for an act to grant powers to cities now or hereafter having a population of 20,000 or over and organized under chapter 14-c of title 5 of the Supplement to the Code, 1907, to assume exclusive charge, custody and control of all trees and shrubbery, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution relative to the use of the Senate chamber and hall of the House of Representatives for the reunion of Iowa soldiers.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House File No. 312, a bill for an act to confer certain powers on cities organized under the commission form of government and on cities having a population of five thousand (5,000) or more organized under chapter two (2), of title five (5), of the code, and cities organized under special charter, relating to the organization, equipment and operations of fire departments and providing for the levy and collection of a special tax for the use and benefit of such fire departments and granting power to anticipate said tax and to issue fire fund certificates or bonds.

House amendment to Senate amendment: Add the following: also strike out the words "or maintaining" in line 12 of section 1.

Passed on file.

Senate File No. 477, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contests in the Nineteenth (19) Senatorial District of Iowa and in the Forty-sixth (46) Senatorial District of Iowa, and to pay sundry persons for services, mileage and other expenses incurred in connection with said election contests.

President appoints as conference committee on the part of the Senate, Senators Mattes, Kimball, Schrup and Webber.

Senate File No. 327, a bill for an act to amend section two thousand seventy-seven (2077) of the supplement to the code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state, at which fairs or expositions are or may hereafter be held.

President appoints as conference committee on the part of the Senate, Senators Boe, DeWolf, Farr and Sullivan.

Substitute for Senate File No. 118, a bill for an act to confer additional powers upon trust companies, state and savings banks and to prescribe the conditions under which they may transact business.

President appoints as conference committee on the part of the Senate, Senators Cowles, Malmberg, Hilsinger and Webber.

Senator Schrup offered the following motion:

MR. PRESIDENT—I move that a committee of three be appointed by the chair to draft resolutions in commemoration of the life and services of ex-Senator B. B. Richards of Dubuque.

Carried.

The President appointed as such committee, Senators Schrup, Quigley and Hilsinger.

Senator Perkins offered the following motion:

I move that a committee of three be appointed to propose resolutions commemorating life and character of the late Senator L. E. Fellows.

Carried.

The President appointed as such committee, Senators Quigley, Perkins and Larrabee.

By unanimous consent, Senator Allen filed the following amendments to Senate File No. 442:

AMENDMENTS TO SENATE FILE NO. 442.

I move to amend Senate File No. 442 by striking out sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; and

By striking out of the first and second lines of section 13 and adding in lieu thereof: "In addition to the powers and duties heretofore vested in the executive council, said executive council shall have and assume the following powers and duties"; and,

By striking out the word "commssion" in the 36th line and inserting in lieu thereof the words "executive council"; and,

By striking out the word "commission" in the 40th line and inserting in lieu thereof the words "executive council"; and,

By striking out the word "commission" in the 41st line and inserting in lieu thereof the words "executive council"; and,

By striking out the word "commission in the 44th line and inserting in lieu thereof the words "executive council."

By striking out the words "the commission" in line 60 and changing the small "t" to a capital "T" in the word "to."

By striking out the words "by visiting the counties or localities" in lines 64 and 65.

By inserting between the third and fourth words in line 67, the words, "as a whole," and by inserting between the eleventh and twelfth words in line 67 the words "as a whole."

By striking out the word "commission" in the 68th line and inserting in lieu thereof the words "executive council."

By striking out the words "tax commission" in the 70th line and inserting in lieu thereof the words "executive council."

By inserting in line 72 after the word "township" a "comma" and the word "town," and by inserting after the "comma" following the word "city" the words "as a whole."

By striking out of the 75th line the words "of any property, or."

By striking out of the 76th and 77th lines the word "commission" and inserting in lieu thereof the words "executive council."

By striking out the word "commission" in line 78 and inserting in lieu thereof the words "executive council."

By striking out the word "commission" in the 80th line and inserting in lieu thereof the words "executive council."

By striking out the word "commission" in the 82d line and inserting in lieu thereof the words "executive council."

By striking out the 94th line.

By striking out the numeral 15 in line 95 and inserting in lieu thereof the numeral "14."

By striking out the words "to the governor and" in line 95.

By striking out the word "commission" in line 96 and inserting in lieu thereof the words "executive council."

By striking out the word "commission" in line 97 and inserting in lieu thereof the words "executive council."

By striking out the numeral "16" in line 100 and inserting in lieu thereof the numeral "15."

By striking out the numreal "17" in line 103 and inserting in lieu thereof the numeral "16."

By striking out the word "commission in line 103 and inserting in lieu thereof the words "executive council."

By striking out the numeral "18" in line 108 and inserting in lieu thereof the numeral "17."

By striking out the word "commission" in line 109 and inserting in lieu thereof the words "executive council."

By re-numbering said section as section 1.

By inserting as section 2 the following:

Sec. 2. To the end that the executive council may be in continuous session and open for transaction of business at all times, the secretary of the executive council is hereby, ex-officio, constituted the official representative of the executive council in the interim between meetings of the said executive council as a taxing board, and shall have power to perform such duties on behalf of the executive council as are not by the terms of this act required to be done by the executive council as a board in session; all such acts to be subject to review and correction at the succeeding meeting of the members of the executive council. He may hold hearings on direction of the executive council or on request of public officers or taxpayers, but shall report all facts and findings to executive council for its approval, amendment or change. He shall keep a complete record of the doings of the executive council in taxation matters and of all proceedings had by him under the authority of this section and of all hearings that may be authorized to be held by expert representatives of the executive council under the authority of this act and the provisions of Senate File No. 214 of the Thirty-fifth General Assembly of Iowa which record shall be open at all times to public inspection.

By re-numebring section 14 as section 3.

By striking out lines 12 and 13 of section 14, re-numbered as section 3.

By re-numbering section 15 as section 4.

By re-numbering section 16 as section 5.

By striking out the words and numerals "five hundred dollars (500.00)" in lines 2 and 3 in section 16, re-numbering said section as section 5, and inserting in lieu thereof the words and numerals "two thousand dollars ($2,000.00)."

By re-numbering section 17 as section 6.

By re-numbering section 18 as section 7.

By striking out the words "tax commission" in lines 3 and 4 of said section 18, and inserting in lieu thereof the words "by the board as provided in section 3."

By re-numbering section 19 as section 8.

By striking out of the 3rd line thereof the words "tax commission" and insrting in lieu thereof the words "executive council."

By renumbering section 20 as section 9.

By re-numbering section 21 as section 10.

By adding to section 21 as re-numbered above as section 10 the following: "The county assessor shall, by virtue of his office, have and exercise all the powers of a collector of delinquent taxes under section 1407 of the Code, and it shall be his duty to collect all delinquent personal taxes and account for the same at the end of each month to the county treasurer, with the commission provided in said section, which commission shall become a part of the county fund, and his deputies shall have the same powers and be charged with like duties under his direction."

By re-numbering section 22 as section 11, and by striking out the words "tax commission" in the 1st and 2d lines thereof and inserting in lieu thereof the words "executive council"; and by striking out the words "tax commission" in the 4th line of said section and inserting in lieu thereof the words "executive council."

By re-numbering section 23 as section 12, and by striking out the words "tax commission" in the 4th line and inserting in lieu thereof the words "executive council."

By re-numbering section 24 as section 13, and by striking out the words "tax commission" in the 4th line and inserting in lieu thereof the words "executive council."

By re-numbering section 25 as section 14, and by striking out the word "commission" in the 1st line and inserting in lieu thereof the words "executive council." By striking out the word "commission" as found in the 4th, 7th, 8th, 9th, 11th and 12th lines thereof and inserting in lieu thereof the words "executive council."

By re-numebring section 26 as section 15.

By re-numbering section 27 as section 16.

By re-numbering section 28 as section 17.

By re-numbering section 29 as section 18.

By re-numbering section 30 as section 19.

By striking out section 31.

By re-numbering section 32 as section 20.

By striking out all of section 33 and inserting in lieu thereof the following as section 21:

Sec. 21. That section 1308 of the Code be, and the same is hereby repealed and the following enacted in lieu thereof:

"All property, real and personal, tangible and intangible, of every kind, nature and description and including the good will of a going concern, whether owned by an individual, company, partnership, association or corporation, and also franchises, not specifically exempt, is subject to taxation in the manner prescribed by law."

By striking out sections 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50.

By striking out section 51, and inserting in lieu thereof the following:

Sec. 22. That section 1343 of the Code is hereby amended by adding after the "comma" following the word "power" in the 9th line the following: "And the lands, buildings, tracks, rolling stock, fixtures and all other personal property of individuals, companies or corporations operating stock yards, and the lands, buildings, fixtures and all other personal property of individuals, companies or corporations engaged or partially engaged in transporting, housing, sheltering, transferring, protecting or weighing either merchandise, live stock or other personal property."

By inserting after the "comma" following the word "power" in the 23d line the following: "And the personal property of any individual, company or corporation operating a stock yard, or engaged or partially engaged in transporting, housing, sheltering, transfering, or weighing either merchandise, live stock or other personal property."

By striking out sections 52, 53, 54, 55, 56, 57, 58, 59, 60 and 61.

By striking out section 62 and inserting in lieu thereof the following:

Sec. 23. That section 1332 of the Code is hereby amended by inserting between the words "telegraph" and "line" in the 1st line thereof the words "or telephone."

By striking out sections 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101.

That section 102 be re-numbered as section 24.

That section 103 be re-numbered as section 25.

By striking out sections 104, 105, 106, 107, 108, 109, 110 and 111.

By re-numbering section 112 as section 26.

By striking out sections 113 and 114.

By re-numbering section 115 as section 27 and by striking out thereof the words "tax commission" in the second line, and inserting in lieu thereof the words "executive council."

By striking out sections 116 and 117.

By re-numbering section 118 as section 28.

By re-numbering section 119 as section 29.

By renumbering section 120 as section 30.

By re-numbering section 121 as section 31.

By re-numbering section 122 as section 32.

By re-numbering section 123 as section 33.

By re-numbering section 124 as section 34.

By re-numbering section 125 as section 35.

By striking out the words and figures "one hundred twenty-four (124)" in the seventh line thereof and inserting in lieu thereof the words and figures "thirty-four (34)."

By re-numbering section 126 as section 36.

By re-numbering section 127 as section 37.

By re-numbering section 128 as section 38.

By re-numbering section 129 as section 39.

By re-numbering section 130 as section 40.

By re-numbering section 131 as section 41.

By re-numbering section 132 as section 42.

By striking out of the 2d line thereof the words "tax commission or to the auditor of state," and inserting in lieu thereof the words "executive council," and

By striking out of the eleventh line thereof the words "tax commission" and inserting in lieu thereof the words "executive council."

By striking out sections 133, 134, 135, 136.

By re-numbering section 137 as section 43; and

By striking out of the first line thereof the words "tax commission" and inserting in lieu thereof the words "executive council."

By re-numbering section 138, erroneously numbered 178, as section 44.

By striking out section 139 and inserting in lieu thereof the following:

Sec. 45. That in the year 1914 and all subsequent years the various boards and officers charged with the duty of levying taxes under the provisions of the laws of the state of Iowa, shall make all levies on the basis of the actual valuation of the property, and shall in all cases where a millage levy is authorized on the basis of the assessed valuation, or twenty-five (25) per centum of the actual valuation, levy a millage on the actual valuation of not to exceed one-fourth of the millage authorized on the basis of the assessed valuation, or twenty-five (25) per centum of the actual valuation of property.

By re-numbering section 140 as section 46, and by inserting in the third line thereof after the comma, following the word "years," the following: "excluding improvements and newly discovered property" and

By striking out the word "average" in the third line thereof; and

By striking out of the third line thereof the words "years 1912 and y-913 (1913)" and inserting in lieu thereof "year 1913" and by adding after the word "taxes" in the sixth line thereof the words "are levied" and by striking out of the 8th line thereof the word "average," and by striking out of the 8th line thereof the words "year 1912" and inserting in lieu thereof the word "year."

By striking out sections 141, 142, 143, 144, 145 and 146.

By re-numbering section 147 as section 47.

By striking out sections 148 and 149.

By re-numbering section 150 as section 48.

By re-numbering section 151 as section 49.

By striking out sections 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165 and 166.

By re-numbering section 167 as section 50.

By striking out section 168.

By re-numbering section 169 as section 51.

By re-numbering section 170 as section 52; and

By striking out the first and second lines thereof, up to the semicolon following the word "taxation" and inserting in lieu thereof "that all acts and parts of acts in conflict herewith are hereby superceded by the provisions of this act."

By re-numbering section 171 as section 53.

By re-numbering section 172 as section 54.

By striking out sections 173, 174 and 175, erroneously numbered as section 176.

Senator Allen moved that Senate File No. 442 be made a special order for tomorrow at 11 o'clock A. M.

Carried.

Senator Allen moved that 500 extra copies of the Journal for April 14th be printed.

Carried.

Senator Mattes moved that Senate File No. 542 be made a special order for 9:45 A. M., tomorrow.

Carried.

THIRD READING OF BILLS.

On motion of Senator Clarkson, House File No. 7, a bill for an act to invest the district courts of the state of Iowa with jurisdiction and authority to restrain violations of any law heretofore or hereafter enacted to protect the public and trade and commerce against unlawful restraints, trusts, conspiracies, combinations and monopolies, or unfair discrimination between different sections, communities or localities; to cause any person within the state of Iowa to be made party to an action pending in any court in this state, and to require any person, firm, association or corporation to respond to a subpoena in any court in this state, and to give testimony and produce any books, papers or documents in any hearing, investigation, proceeding or prosecution for the violation of any laws relating to pool, trusts, conspiracies, combinations or monopolies, or prohibiting unfair discrimination between different sections, communities or localities, and to provide immunity to the persons so testifying; and to make an appropriation for the purpose of enforcing the provisions of this act and all laws passed to protect trade and commerce against unlawful restraints, trusts, conspiracies, combinations and monopolies, and all laws relating to the fixing of prices and charges, or designed to prohibit unfair discrimination between different sections, communities or localities, was taken up, and considered.

The motion filed March 31st to reconsider the vote by which the report of the committee was adopted, indefinitely postponing House File No. 7, was lost.

On motion of Senator Clarkson, Senate File No. 6, a bill for an act to amend section one (1), chapter one hundred six (106), acts of the Thirty-fourth General Assembly relating to the appointment of mine inspectors, was taken up, and considered.

Senator Clarkson moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS.

Add to title the following: "relating to the appointment of mine inspectors, and fixing their term of office."

By striking out the word and figure "four (4)" as it appears in the sixth and eighth lines of section one, and inserting in lieu thereof the word and figure "six (6)."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Arney, Boe, Clarkson, Darrah, Doran, Malmberg, McManus, Neal, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—13.

The nays were:

Balluff, Chase, Cowles, Crow, DeWolf, Dunnegan, Farr, Fellows, Gillette, Heald, Jewell, Jones, Kimball, Larrabee, Legel, Nye, Quigley, Savage, Schrup, Sheean, Smith, Spaulding, Webber, White—24.

Absent or not voting:

Ames, Balkema, Crist, Francis, Garrett, Hagemann, Hilsinger, Mattes, McColl, Perkins, Ream, Robinson, Taylor—13.

So the Senate refused to concur in House amendments.

On motion of Senator Spaulding, Senate File No. 201, a bill for an act to provide for the establishment of a state farm for the detention, treatment and employment of defectives and persons convicted of crime; to make provisions for the control and management thereof; to provide what persons shall be kept thereon, and

to make an appropriation 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 Heald, House File No. 149, a bill for an act to amend the law as it appears in section ten hundred and fifty-six-a-nine (1056-a-9) of the supplement to the code, 1907, relating to municipal accounting of cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Heald 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 ayes were:

Balluff, Boe, Chase, Clarkson, Darrah, DeWolf, Doran, Fellows, Francis, Gillette, Heald, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McManus, Neal, Sheean, Smith, Sullivan, Thomas, Webber, White, Wilson of Clinton—26.

The nays were:

Crow, Quigley, Wilson of Appanoose—3.

Absent or not voting:

Allen, Ames, Arney, Balkema, Cowles, Crist, Dunnegan, Farr, Garrett, Hagemann, Hilsinger, Mattes, McColl, Nye, Perkins, Ream, Robinson, Savage, Schrup, Spaulding, Taylor—21.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Kimball, Senate File No. 406, a bill for an act to repeal section three thousand one hundred and thirty-eight of the supplement to the code, 1907, and chapter one hundred and ninety-five (195) of the laws of the Thirty-third General Assembly and to enact as a substitute therefor the following, relating to the care of property belonging to guests of hotels and inns and liability for the loss there-

of, and to the lien of hotel and innkeepers thereon, and for providing a method for enforcing such lien, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball moved the adoption of the following amendments:

Amend section 4 by inserting after the word "by" in the fourth line of the printed bill and before the word "the" the words "or caused by the negligence of."

Adopted.

Senator Kimball 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 ayes were:

Arney, Balluff, Cowles, Crow, Darrah, Doran, Farr, Francis, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Mattes, McManus, Neal, Nye, Quigley, Robinson, Savage, Schrup, Smith, Sullivan, Thomas, Webber, White, Wilson of Appanoose—30.

The nays were:

Clarkson—1.

Absent or not voting:

Allen, Ames, Balkema, Boe, Chase, Crist, DeWolf, Dunnegan, Fellows, Garrett, Hagemann, Malmberg, McColl, Perkins, Ream, Sheean, Spaulding, Taylor, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The time having arrived for Special Order Senate File No. 530, a bill for an act to amend the law relating to the selection of school text books, as it appears in sections twenty-eight hundred thirty-one (2831), twenty-eight hundred thirty-two (2832), supplement to the code, 1907, and twenty-eight hundred thirty-four (2834), of he code, was taken up and considered.

Senator Thomas offered the following amendments and moved their adoption:

Amend section 2 as follows:

1. In line 25 of the printed bill after the word "contracts" and before the comma (,) following, add: "in counties now having county uniformity of text books, and within thirty days after their appointment in counties voting to adopt county uniformity of text books."

2. In line 38, after the word "interests" and before the period (.) add a semicolon (;) and the following words: "provided that nothing in this act shall be construed as abrogating lawful contracts existing at the time this act goes into effect, and that all contracts made in pursuance of this act shall be effective and begin on the first day of July following."

3. In line 40, strike out the word "hereinafter" and after the word "provided" and before the comma (,) following add the words, "in section twenty-eight thirty-five."

Adopted.

Senator Cowles offered the following amendment and moved its adoption:

I move to add to section one (1) of the bill by inserting after the word "county," in the seventh line of the printed bill the following, "or to discontinue a system of county uniformity where adopted."

Adopted.

Further consideration of the bill was postponed.

The time for Special Order having arrived House Joint Resolution No. 1 proposing to amend the constitution so as to provide for the taxing of incomes, privileges and occupations and providing that such taxes may be graduated and progressive and proviidng for reasonable exemptions, 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 Boe moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the Joint Resolution pass?"

The ayes were:

Arney, Balkema, Boe, Clarkson, Darrah, Farr, Francis, Heald, Jewell, Larrabee, Malmberg, Mattes, Nye, Sheean, Thomas, Webber, White, Wilson of Appanoose—18.

The nays were:

Ames, Balluff, Chase, Cowles, Crow, DeWolf, Doran, Dunnegan, Fellows, Gillette, Hagemann, Hilsinger, Kimball, Legel, McManus, Neal, Quigley, Robinson, Savage, Schrup, Smith, Sullivan, Wilson of Clinton—23.

Absent or not voting:

Allen, Crist, Garrett, Jones, McColl, Perkins, Ream, Spaulding, Taylor—9.

So the Joint Resolution having failed to receive a constitutional majority failed to pass the Senate.

EXPLANATION OF VOTE.

In view of the fact that congress will in the near future enact a statute taxing incomes, it is my opinion that it would not be advisable for our state to adopt that principle or rule of taxation in our state, but I believe it is a matter which can safely be submitted to the people for their determination and if adopted and thereby made a part of the constitution, the general assembly will be enabled to properly determine whether or not it will be advisable to enter that field of taxation in this state.

I therefor vote yea.

JOHN T. CLARKSON.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 530, a bill for an act to amend the law relating to the selection of school text books, as it appears in sections twenty-eight hundred thirty-one (2831), twenty-eight hundred thirty-two (2832), supplement to the code, 1907, and twenty-eight hundred thirty-four (2834) of he code.

The amendment offered by Senator Cowles was adopted.

Senator Thomas 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.

Senator Arney was called to the chair at 10:50.

President Harding resumed the chair at 11 A. M.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Clarkson, Cowles, Crow, Darrah, DeWolf, Farr, Fellows, Francis, Hagemann, Heald, Jewell, Jones, Kimball, Larrabee, Legel, McManus, Neal, Quigley, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White —30.

The nays were:

Balluff, Boe, Chase, Doran, Dunnegan, Gillette, Hilsinger, Malmberg, Mattes, Nye, Ream, Schrup, Wilson of Appanoose, Wilson of Clinton—14.

Absent or not voting:

Allen, Crist, Garrett, McColl, Perkins, Taylor—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The time having arrived for Special Order on House File No. 262, the motion filed by Senator Chase that the Senate request the return of the bill from the Sifting committee, was taken up for consideration.

On the motion a roll call was demanded.

Those favoring the motion were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Darrah, Doran, Francis, Gillette, Heald, Jones, Kimball, Larrabee, Malmberg, Neal, Robinson, Spaulding, Thomas—20.

The nays were:

Balluff, Cowles, Crow, DeWolf, Dunnegan, Farr, Fellows, Hagemann, Hilsinger, Legel, Mattes, McManus, Nye, Quigley, Savage, Schrup, Sheean, Smith, Sullivan, Webber, White, Wilson of Appanoose, Wilson of Clinton—23.

Absent or not voting:

Crist, Garrett, Jewell, McColl, Perkins, Ream, Taylor—7.

So the motion was lost.

THIRD READING OF BILLS.

On motion of Senator Cowles, Senate File No. 435, a bill for an act authorizing the issue of flood protection bonds by cities of the first class and cities acting under the commission plan of government, was taken up and considered.

Senator Cowles offered the following amendment to the House amendment and moved its adoption.

I move to amend the House amendment to Senate File No. 435 by striking out the words and figures "twenty-five thousand (25,000)" in the third line of said amendment and inserting in lieu thereof the words and figures "twenty-four thousand (24,000.)"

Adopted.

Senator Cowles moved that the Senate concur in the following House amendments as amended:

HOUSE AMENDMENT.

That the following be stricken out of section one, "seventy-five thousand (75,000)" and that there be inserted in lieu thereof the following, "twenty-five thousand (25,000)."

That there be inserted between the word "and" and "Des Moines" in the third line of section three the word "the."

On the question, "Shall the Senate concur in the House amendments as amended?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Hagemann,

Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Quigley, Savage, Schrup, Sheean, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose—36.

The nays were:

None.

Absent or not voting:

Chase, Clarkson, Crist, Garrett, Gillette, Jewell, McColl, Perkins, Ream, Robinson, Smith, Taylor, Webber, Wilson of Clinton—14.

So the House amendments as amended having received a constitutional majority were declared concurred in.

On motion of Senator Kimball, Senate File No. 407, a bill for an act to repeal chapter one hundred sixty-eight (168) of the acts of the Thirty-third General Assembly, and to enact in lieu thereof the following relating to hotels, public lodging houses and restaurants, defining the same and prescribing rules for their operation and maintenance, so as to insure the safety and health of employees and patrons of same, providing for the inspection thereof, establishing a hotel commission and providing for a hotel commissioner, and for the licensing of hotel and restaurant keepers, and fixing penalties for violation of such rules and regulations; with report of committee recommending amendments and passage,, was taken up, considered, and the report of the committee adopted.

Senator Kimball moved the adoption of the following amendments:

That the bill be amended by substituting for sections three, four, five, six, seven, eight, nine and ten the following:

Sec. 3. Only such hotels as defined in section 2 of this act shall have the right to use the word "hotel" as a part of the name of their business; and the use of the word "hotel" in connection with the name of a business other than that defined in section 2 of this act shall be a violation of this act and subject the user thereof to its penalties.

Sec. 4. There is hereby created a hotel commission of the state of Iowa, for which the usual facilities for transacting its business shall be furnished, the same as for other similar departments of the state government.

Sec. 5. The civil engineer of the state board of health shall by virtue of his office be hotel commissioner. Such hotel commissioner shall receive, in addition to the compensation now received as a member of the state board of health, a salary of fifteen hundred dollars ($1,500.00) per annum, and necessary expenses, out of the fund derived from the licensing of hotels. Such hotel commissioner shall, with the approval of a majority of the members of the state executive council, appoint, and at his pleasure remove, one or more deputies, who shall under his direction assist in the duties imposed by this act. Such deputies shall give bond to the state in the penal sum of two thousand dollars ($2,000.00) conditioned as that of the hotel commissioner, to be approved by and filed with the secretary of state. Each deputy hotel commissioner shall receive such compensation as the executive council of the state of Iowa shall specify, the same not to exceed fifteen hundred dollars ($1,500.00) per annum and necessary expenses incurred while actually engaged in his work as deputy hotel commissioner. All bills for compensation and necessary expenses shall be itemized and verified, and warrants drawn on the hotel commission fund therefor in the same manner as for the other expenses of the members of the state board of health.

Sec. 6. It shall be the duty of the hotel commissioner and his deputies to see that all of the provisions of this act are enforced, and for such purposes said hotel commissioner and deputies shall personally inspect, each year, every hotel in the state coming within the provisions of this act. If upon inspection of any hotel it shall be found that this law has been fully complied with, he shall issue a certificate to that effect to the person operating the same, and such certificate shall be kept in plain view in some conspicuous place in said hotel. Said hotel commissioner or deputy is hereby empowered and authorized to enter any hotel at all reasonable hours to make such inspection, and it is hereby made the duty of every person in the management or control of such hotel to afford free access to every part of the hotel and render all aid and assistance necessary to enable the hotel commissioner or his deputy to make a full, thorough and complete examination thereof on or before December thirty-first (31st) of each year.

Sec. 7. All persons engaged in the business of operating a hotel as defined in this act shall on or before January 1, 1914, and each year thereafter, secure and pay for a license therefor as follows: Hotels in which over twenty sleeping rooms are used for the accommodation of guests, five dollars ($5.00) per year; hotels with less than twenty rooms, three dollars per year. Such license to be issued by the hotel commissioner upon receipt of the license herein provided and certificate signed by the applicant stating that he has complied and will comply with the provisions of this act. No hotel shall be maintained and conducted in this state after the first day of January, 1914, without a license therefor.

Sec. 8. The hotel commissioner or deputy shall make a full and complete report to the state board of health of every hotel inspection, as to its sanitary condition, the number and condition of its fire escapes, num-

ber of stories high, number of sleeping rooms, name of proprietor, and such other information as the state board of health shall determine will be for the betterment of the public health. He shall on the first day of each month make and file with the state treasurer an itemized statement of all license fees collected, and pay into the state treasury all fees collected for licenses issued during the preceding month, which fees the state treasurer shall keep in a fund to be known as "the hotel commission fund," to be used for the purposes of the hotel commission only.

Sec. 9. Any hotel commissioner or deputy who shall knowingly certify falsely regarding any hotel inspected by him, or in regard to fees collected or expenses paid, or shall issue a certificate to any person owning, managing or operating a hotel, when such person has not complied with the provisions of this act, shall be guilty of a misdemeanor, and on conviction of the same, shall be punished by a fine not to exceed five hundred dollars ($500.00), or imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment.

Sec. 10. It shall be the duty of the hotel commissioner, upon ascertaining by inspection or otherwise that any hotel is being carried on contrary to any of the provisions of this act, to notify the manager, proprietor or owner, in writing, in what respect it fails to comply with the law, and to require such person within reasonable time, to be fixed by the hotel commissioner, to do or cause to be done the things necessary to comply with the law.

Amend section 11 by striking from said section the word "or" at the end of the first line of said section and the word "restaurant."

(b) Amend section 12 by striking from said section the words "or restaurant" in the last line.

(c) Also amend the title by removing the comma after the word "hotel" in the third line of the title and inserting the word "and" and striking from said title the words "and restaurants"; in the third and fourth lines of the title; and the words "and restaurant" in the eighth line of the title of said bill.

Adopted.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the amendment to Senate File No. 407 by substituting in section 7 thereof the words and figures, "eight dollars ($8.00)" for the words and figures "five dollars ($5.00)" and by substituting the words and figures "four dollars ($4.00)" for the words "three dollars."

Adopted.

Senator Clarkson moved that Senate File No. 407 be made a Special Order for tomorrow at 4 P. M.

Carried.

On motion of Senator Legel, Senate File No. 544, a bill for an act to amend the law as it appears in chapter one hundred twenty-six (126), acts of the Thirty-fourth General Assembly, relating to the sale of cocaine and certain other drugs; and to repeal the law as it appears in section twenty-five hundred ninety-six-b (2596-b) of the suplement to the code, 1907, relating to the penalty for the unlawful sale of such drugs, was taken up and considered.

Senator Legel 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Clarkson, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McManus, Neal, Nye, Quigley, Robinson, Savage, Schrup, Smith, Sullivan, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Boe, Chase, Cowles, Crist, Dunnegan, Garrett, Hilsinger, Mattes, McColl, Perkins, Ream, Shean, Spaulding, Thomas—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Kimball, Senate File No. 545, a bill for an act to repeal sub-division two (2) of section thirteen hundred three (1303), supplement to the code, 1907, as amended by chapter seventy-nine (79) of the laws of the Thirty-third General Assembly, and enacting a substitute therefor, relating to levies by the board of supervisors for ordinary county revenue, was taken up and considered.

Senator Kimball 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 ayes were:

Allen, Arney, Balluff, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Hagemann, Heald, Hilsinger, Jewell, Kimball, Larrabee, Legel, Malmberg, McManus, Neal, Nye, Quigley, Robinson, Savage, Schrup, Sullivan, Webber, White, Wilson of Appanoose—30.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Boe, Chase, Crist, DeWolf, Farr, Garrett, Gillette, Jones, Mattes, McColl, Perkins, Ream, Sheean, Smith, Spaulding, Taylor, Thomas, Wilson of Clinton.—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Kimball, Senate File No. 529, a bill for an act to enable Mrs. C. C. Platner and Mrs. George Wilson to share in the policeman's pension fund of the city of Council Bluffs, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball 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 ayes were:

Allen, Arney, Balluff, Boe, Clarkson, Crow, Darrah, DeWolf, Doran, Dunnegan, Francis, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, McManus, Neal, Nye, Quigley, Robinson, Savage, Schrup, Spaulding, Sullivan, Webber, White, Wilson of Appanoose—33.

The nays were:

None.

Absent or not voting:

Ames, Balkema, Chase, Cowles, Crist, Farr, Fellows, Garrett, Legel, McColl, Perkins, Ream, Sheean, Smith, Taylor, Thomas, Wilson of Clinton—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Francis, Senate File No. 87, a bill for an act amending the law as it appears in section 2578 of the 1907 supplement to the code relating to revocation of physicians' certificates and defining unprofessional conduct, was taken up and considered.

Unanimous consent was given for the reconsideration of the vote by which House amendments to Senate File No. 87 were concurred in.

Senator Francis moved that the Senate reconsider the vote by which House amendments to Senate File No. 87 were concurred in.

Carried.

Senator Francis offered the following amendment to the House amendments and moved its adoption:

I move that paragraph ten (10) of section (1) of the bill be stricken out and renumbered paragraphs 11 and 12.

Adopted.

Senator Francis moved that the Senate concur in the following House amendments as amended:

HOUSE AMENDMENTS.

Amend paragraph five (5) and paragraph six (6) by striking out the first two words in said paragraph and inserting in lieu thereof the words, "any advertisement." And by adding the following paragraphs:

"8. Willful neglect of a patient in a critical condition.

9. Accepting any fee for service as a witness in a case at law or equity other than such as is allowed by the court, or that the court is made cognizant of,

10. The demanding of a fee manifestly exorbitant for a surgical operation.

11. The splitting or division, or agreeing to split or divide, any fee or charge paid or to be paid on account of any operation performed or to be performed, upon any patient, with any other person for any service performed or agreed to be performed, or in any consideration of such other person accompanying, bringing or referring to him a patient for any treatment or operation, or on account of such other person assisting him in reference to such treatment or operation without the knowledge and consent of the patient or the person having the patient in charge or the patient's administrator or executor in the event of the patient's death.

12. Knowingly misstating the cause of a death in a death certificate, except where an exact statement would render the physician liable to suit for libel, or subject the decedent or his family to public odium."

On the question, "Shall the Senate concur in House amendments as amended?"

The ayes were:

Balluff, Boe, Clarkson, Cowles, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Malmberg, Mattes, McManus, Neal, Nye, Quigley, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, White, Wilson of Appanoose—30.

The nays were:

Absent or not voting:

Allen, Ames, Arney, Balkema, Chase, Crist, Dunnegan, Farr, Garrett, Hagemann, Larrabee, Legel, McColl, Perkins, Ream, Smith, Taylor, Thomas, Webber, Wilson of Clinton—20.

So the House amendments as amended having received a constitutional majority were declared concurred in.

On motion of Senator White, Senate File No. 394, a bill for an act to repeal section three (3), chapter 117, acts of the Thirty-third General Assembly, and to enact a substitute therefor relating to the construction of levees, ditches or drains by owners of lands for agricultural, sanitary or mining purposes across the lands of others, and providing for the condemnation of such lands as may be necessary for the construction and maintenance of such levees,

ditches and drains, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee rejected.

Senator White 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 ayes were:

Arney, Darrah, Doran, Dunnegan, Farr, Jewell, Kimball, Larrabee, Mattes, McManus, Robinson, Savage, Schrup, White—14.

The nays were:

Allen, Balluff, Clarkson, Cowles, Crow, DeWolf, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jones, Malmberg, Nye, Quigley, Sheean, Spaulding, Sullivan, Webber, Wilson of Appanoose, Wilson of Clinton—22.

Absent or not voting:

Ames, Balkema, Boe, Chase, Crist, Garrett, Legel, McColl, Neal, Perkins, Ream, Smith, Taylor, Thomas—14.

So the bill having failed to receive a constitutional majority was declared lost.

On motion of Senator Kimball, House File No. 506, a bill for an act to amend section one thousand nine hundred eighty-nine-a-thirteen (1989-a-13) of the supplement to the code, 1907, as amended by chapter one hundred eighteen (118) of the acts of the Thirty-third General Assembly, relating to the use of drainage warrants in the payment of drainage assessments, was taken up, and considered.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend House File No. 506 by adding thereto the following as section 2:

Sec. 2. 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 the Des Moines Capital, newspapers published at Des Moines, Iowa.

Adopted.

Senator Kimball 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 qquestion, "Shall the bill pass?"

The ayes were:

Ames, Arney, Boe, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, McManus, Quigley, Schrup, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—28.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Balluff, Chase, Clarkson, Crist, Farr, Garrett, Legel, McColl, Neal, Nye, Perkins, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Taylor, Thomas, Webber—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

By unanimous consent Senator Kimball withdrew Senate File No. 342 from further consideration by the Senate.

Senator Gillette moved that the Senate do now adjourn until 1:30 P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M.

President Harding 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 House was asked:

Substitute for Senate File No. 236, a bill for an act to make additional appropriations to the state historical society of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 106, a bill for an act to amend section 18 of chapter 170 of the acts of the Thirty-third General Assembly relative to the powers and duties of the state board of education and the finance committet of said board of education.

A. C. GUSTAFSON,
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. 68, a bill for an act creating a commission and to erect a state office building, procuring necessary grounds adjacent to the capitol for the same, and for the appropriation therefor.

A. C. GUSTAFSON,
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. 249, a bill for an act making an appropriation to reimburse certain employes of the Iowa school for the deaf for loss of wearing apparel by fire at said school on the 23rd day of April, 1911.

A. C. GUSTAFSON,
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. 143, a bill for an act to repeal the law as it appears in section 2564 of the Supplement to the Code, 1907, and to enact a substitute therfor, relative to the state board of health.

A. C. GUSTAFSON,
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. 160, a bill for an act to repeal section 193 and 194 of the Code, providing for an increase in the number of judges in the supreme court and to amend section 1066 of the Supplement to the Code, in referenct to the selection of the chief justice of said court.

A. C. GUSTAFSON,
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. 259, a bill for an act creating the office of state examiners for counties, fixing their compensation, duties, terms of office and method of appointment, providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, reports, and audits for counties and providing penalties for violations of this act.

A. C. GUSTAFSON,
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. 673, a bill for an act to prohibit public officers or deputies from divulging any part of the contents of sealed bids and declare the liquidated damages inuring in favor of municipal corporations by reason of the violation of such prohibition.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator McManus, Senate File No. 360, a bill for an act to provide for the improvement of the water and harbor fronts of incorporated or chartered cities and towns situated on navigable waterways within or bordering on the state of Iowa; for the acquirement, construction, maintenance and operation of public docks, and for the acquirement by condemnation or otherwise of lands or rights or interest therein for same; to create a department to be administered by a board to carry on such work and to regulate and control the construction, maintenance and operation of belt railways, wharves, docks, slips, quay walls, piers, basins, other water-front lands or rights or interests therein, in said cities and towns; to authorize the issuance and sale of bonds and to levy a tax for carrying out the above purposes, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator McManus moved the adoption of the following amendments:

Amend by striking out all of section one (1) and inserting in lieu thereof the following:

"Section 1. The city council or board of commissioners in any incorporated town or city, including cities under commission plan and those under special charter now or hereafter situated an any natural or artificial navigable waterway within or bordering upon the state of Iowa, may when in their judgment expedient create a department known as the "Department of Public Docks", providing that before said commission may go into operation, the question shall be submitted to the qualified electors of said city or town at a regular or special election called for that purpose, and providing further, that a majority of those voting at said election shall vote in favor of the creation of such department of public docks."

Also amend by addiing to section five (5) the following: "That all state regulations for the control and operation of railroads, common

carriers and public utilities shall apply to and have full force and effect in regard to all powers, duties and actions of the department of public docks and the same shall be subject to and under the control of the state board of railroad commissioners or the public utility commission now or hereafter established by law."

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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Crist, Darrah, Doran, Farr, Fellows, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McManus, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose—31.

The nays were:

None.

Absent or not voting:

Chase, Clarkson, Cowles, Crow, DeWolf, Dunnegan, Francis, Garrett, Hagemann, Mattes, McColl, Neal, Nye, Perkins, Quigley, Savage, Smith, White, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Larrabee, Senate File No. 491, a bill for an act making special provision for the enforcement of sanitary conditions by the state board of health upon complaint made by five (5) or more citizens, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Larrabee 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 ayes were:

Arney, Balkema, Boe, Clarkson, Crist, Crow, Darrah, Doran, Fellows, Gillette, Hagemann, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Neal, Nye, Ream, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose —29.

The nays were:

Ames, Hilsinger—2.

Absent or not voting:

Allen, Balluff, Chase, Cowles, DeWolf, Dunnegan, Farr, Francis, Garrett, Heald, Mattes, McColl, McManus, Perkins, Quigley, Robinson, Savage, Schrup, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Kimball, Senate File No. 395, a bill for an act to prohibit by penalty the transportation by common carrier or the offering for transportation to a common carrier any dangerous explosive marked as other than an explosive, or unless marked with the true name of the explosive, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball moved the adoption of the following amendments:

Strike out all of section 1 and substituting in lieu thereof the following as section 1.

"Section 1. If any person shall transport in any public conveyance or by common carrier or shall offer for shipment to any common carrier any of the following dangerous explosives, viz.: nitroglycerine, dynamite, fulminating powder or giant powder, in any package or receptacle marked to indicate that the contents are other than such explosive, or unless the true name of such explosive is marked upon the outside of the package or receptacle containing the same, he shall be punished by a fine not exceeding five hundred ($500.00) dollars or imprisonment in the county jail for not more than one year, or by both such fine and imprisonment at the discretion of the court."

Adopted.

Senator Kimball 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Gillette, Hagemann, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Neal, Nye, Ream, Schrup, Sheean, Sullivan, Wilson of Appanoose—28.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, DeWolf, Francis, Garrett, Hilsinger, Jewell, Mattes, McColl, McManus, Perkins, Quigley, Robinson, Savage, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Clinton—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Thomas, Senate File No. 2, a bill for an act to provide for the representation of the state of Iowa at the Panama-Pacific International Exposition to be held at San Francisco, California, celebrating the opening and commercial use of the Panama canal and making an appropriation therefor, with report of committee recommending indefinite postponement, was taken up, and considered.

On the adoption of the report of the committee, a roll call was demanded.

Those favoring the motion were:

Ames, Arney, Balkema, Balluff, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Hilsinger, Jewell, Jones, Larrabee, Malmberg, Mattes, McManus, Nye, Quigley, Ream, Schrup, Smith, Sullivan, Webber, White, Wilson of Appanoose—29.

The nays were:

Boe, Crist, DeWolf, Francis, Gillette, Hagemann, Heald, Kimball, Legel, Neal, Sheean, Spaulding, Thomas—13.

Absent or not voting:

Allen, Chase, McColl, Perkins, Robinson, Savage, Taylor, Wilson of Clinton—8.

So the bill was indefinitely postponed.

On motion of Senator Fellows, Senate File No. 488, a bill for an act to amend the law as it appears in section ten hundred ninety-three (1093), supplement to the code, 1907, relating to election boards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fellows 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Quigley, Ream, Schrup, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Allen, Chase, Garrett, Kimball, McColl, McManus, Robinson, Savage, Sheean, Taylor—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MOTIONS FILED.

Senator Crow filed the following motion:

"I move that a committee of three be appointed to draft suitable resolutions commemorative of the life, character and public service of the late Judge Addison Oliver of Onawa, Monona county."

Carried.

President appointed as such committee, Senators Crow, Perkins and Farr.

THIRD READING OF BILLS.

On motion of Senator Francis, House File No. 466, a bill for an act to repeal section four thousand eight hundred ninety-seven-a (4897-a) of the supplement to the code, 1907, and to enact a substitute relating to escapes from the penitentiary and reformatory, including violations of parole, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Francis moved the adoption of the following amendments:

"By striking out the words "without due authority" after the word "leave" and before the word "any" in the sixth (6) line of section one (1).

Amendments lost.

Senator Francis 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Ream, Schrup, Sheean, Smith, Spaulding, Thomas, White, Wilson of Clinton—37.

The nays were:

Wilson of Appanoose—1.

Absent or not voting:

Ames, Chase, Clarkson, Cowles, Crist, DeWolf, McColl, Robinson, Savage, Sullivan, Taylor, Webber—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Crist, House File No. 633, a bill for an act to amend section twenty-four (24) chapter sixty-eight (68), of the acts of the Thirty-fourth General Assembly, relating to the payment of collateral inheritance tax, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Crist 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Crist, Darrah, Doran, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, McManus, Neal, Nye, Perkins, Quigley, Ream, Savage, Schrup, Sheean, Spaulding, Thomas, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Chase, Clarkson, Cowles, Crow, DeWolf, Dunnegan, Garrett, Legel, Mattes, McColl, Robinson, Smith, Sullivan, Taylor, Webber —15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

CODE COMMISSION APPOINTMENT.

Under the provisions of Senate File No. 38, providing for a code commission, the President announced that he had appointed as such committee on the part of the Senate, Senators Sullivan, Crist and Gillette.

THIRD READING OF BILLS.

On motion of Senator Francis, House File No. 639, a bill for an act to amend the law as it appears in chapter two-a (2-a) of title ten (10) of the supplement to the code, 1907, relative to the disbursement of surplus drainage funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

President Pro Tem Savage was called to the chair at 2:40 P. M.

Senator Francis offered the following amendment as a substitute and moved its adoption:

SENATE AMENDMENT.

I move to amend by striking out all after the word "following" in the 4th line of section 1 and substitute therefor the following.

Section 1989-a-54. As soon as the improvement has been finally completed and duly accepted, if there be no immediate need therefor in the maintenace or repair of such improvement, the funds if any, remaining unused, may be refunded as hereinafter provided. Before making such refund the board shall give notice in writing, by mail, to the owners of such lands at the time of giving notice, as shown by the transfer records in the county auditor's office, and by publishing such notice two weeks in some newspaper of the county or counties where the improvement is located, which notice shall state the time and place fixed for hearing thereon and in a general way set forth the matters to be passed upon, and shall be published at not to exceed the rate provided by law for publication of board proceedings.

At such time the board shall distribute the surplus to the several parties entitled thereto, in the proportion paid, less a pro rata share of the cost of giving of the notices aforesaid.

If any person entitled to such refund fails to claim same for the period of two years after the date of hearing, the amount remaining unclaimed shall be returned to the road fund of the township in which the land assessed is located.

This section shall also apply to any funds now held by any drainage district.

Adopted.

Senator Francis 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Heald, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, McManus, Neal, Perkins, Ream, Sheean, Smith, Spaulding, Thomas, Wilson of Clinton—32.

The nays were:

Nye—1.

Absent or not voting:

Chase, Crist, DeWolf, Garrett, Hagemann, Hilsinger, Legel, McColl, Quigley, Robinson, Savage, Schrup, Sullivan, Taylor, Webber, White, Wilson of Appanoose—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Substitute for Senate File No. 417, a bill for an act providing for the election of United States senators by the vote of the people.

Also:

Senate File No. 486, a bill for an act to legalize the passage, adoption and publication of the ordinances of the incorporated town of Rowan, Wright county, Iowa.

Also:

Senate File No. 465, a bill for an act to legalize the special election held in the city of Valley Junction, Iowa, on the 14th day of March,

1913, wherein there was submitted to the voters of said city the question of purchasing or erecting and establishing a water works and electric light power plant, and also the question of the issuance of bonds in a sum not to exceed $65,000.00, for water works and electric light and power plant purposes, and to validate and legalize the proceedings of the city council had in relation to said special election preliminary to the the holding thereof, and to legalize the ballots used at said special election; the acts of the election boards in the conduct of said election and in the returns of said election and declaring the result thereof, and to legalize the bonds to be issued in pursuance thereof.

Also:

Senate File No. 230, a bill for an act to appropriate money to aid in paving east Washington street in the city of Mount Pleasant, Iowa.

Also:

Senate File No. 259, a bill for an act to repeal section twenty-three hundred eight-a (2308-a) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the payment of cost and expenses of non-resident insane patients.

Also:

Senate File No. 142, a bill for an act to repeal chapter one hundred thirty-seven (137) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the support of the industrial schools.

Also:

Senate File No. 76, a bill for an act to amend section twenty-six hundred eight (2608) of the Supplement to the Code, 1907, and establish a minimum monthly allowance for the support of the soldiers' home.

Also:

Substitute for Senate File No. 267, a bill for an act to amend section two thousand seventy-seven-a (2077-a) Supplement to the Code, 1907, as amended by chapter one hundred twenty-five (125) of the acts of the Thirty-third General Assembly, relating to the posting of bulletins at railway stations.

Also:

Senate File No. 72, a bill for an act to repeal sections two (2) four (4) and nine (9) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth General Assembly and to enact substitutes therefor, and amend section eight (8) of chapter one hundred thirty-one (131)

of the acts of the Thirty-fourth (34) General Assembly, relating to the training of teachers for rural schools and making appropriation therefor.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Substitute for Senate File No. 417, a bill for an act providing for the election of United States senators by the vote of the people.

Also:

Senate File No. 486, a bill for an act to legalize the passage, adoption and publication of the ordinances of the incorporated town of Rowan, Wright county, Iowa.

Also:

Senate File No. 465, a bill for an act to legalize the special election held in the city of Valley Junction, Iowa, on the 14th day of March, 1913, wherein there was submitted to the voters of said city the question of purchasing or erecting and establishing a water works and electric light power plant, and also the question of the issuance of bonds in a sum not to exceed $65,000.00, for water works and electric light and power plant purposes, and to validate and legalize the proceedings of the city council had in relation to said special election preliminary to the the holding thereof, and to legalize the ballots used at said special election; the acts of the election boards in the conduct of said election and in the returns of said election and declaring the result thereof, and to legalize the bonds to be issued in pursuance thereof.

Also:

Senate File No. 76, a bill for an act to amend section twenty-six hundred eight (2608) of the Supplement to the Code, 1907, and establish a minimum monthly allowance for the support of the soldiers' home.

Also:

Substitute for Senate File No. 267, a bill for an act to amend section two thousand seventy-seven-a (2077-a) Supplement to the Code, 1907, as

amended by chapter one hundred twenty-five (125) of the acts of the Thirty-third General Assembly, relating to the posting of bulletins at railway stations.

Also:

Senate File No. 72, a bill for an act to repeal sections two (2) four (4) and nine (9) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth General Assembly and to enact substitutes therefor, and amend section eight (8) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth (34) General Assembly, relating to the training of teachers for rural schools and making appropriation therefor.

Also:

Senate File No. 230, a bill for an act to appropriate money to aid in paving east Washington street in the city of Mount Pleasant, Iowa.

Also:

Senate File No. 259, a bill for an act to repeal section twenty-three hundred eight-a (2308-a) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the payment of cost and expenses of non-resident insane patients.

Also:

Senate File No. 142, a bill for an act to repeal chapter one hundred thirty-seven (137) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the support of the industrial schools.

Also:

House File No. 54, a bill for an act providing for the sanitation of bakeries, canneries, packing houses, slaughter-houses, dairies, creameries, cheese factories, confectioners, restaurants, hotels, groceries, meat markets, and all other food-producing establishments, manufactories, or other places where food is prepared, manufactured, packed, stored, sold or distributed, and vehicles in which food is placed for transportation; providing for the licensing of persons, firms, or corporations operating or conducting bakeries, candy factories, ice cream factories, canning factories, slaughter-houses, meat markets or places where fresh meats are sold at retail; fixing such license fee and the duration of such license and the rights thereunder; defining food, regulating the wholesomeness of food manufactured, prepared, packed, stored, sold, distributed or transported; defining the duties of the state food and dairy commissioner in relation thereto; providing penalties for the violation hereof, and repealing acts in conflict therewith.

Also:

House File No. 266, a bill for an act to amend sections twenty-six (26) and forty-three (43) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly, relating to armory rent and making an appropriation therefor.

Also:

House File No. 265, a bill for an act to repeal section twenty-one (21) and to amend section twenty-four (24) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly, relating to the powers and duties of the sheriff, and providing for the payment of the officers and of men of the national guard.

Also:

House File No. 115, a bill for an act creating cities, including cities under commission form of government, incorporated towns, and civil townships wholly outside of any city or incorporated town, trustees for funds bequeathed or donated for the permanent maintenance of property within cemeteries; and to amend the law as it appears in section two hundred fifty-four-a-twelve (254-a-12) of the Supplement to the Code, 1907, relating to the appointment of trustees by the district court to manage, control, and invest cemetery funds; and to amend the law as it appears in section seven hundred forty (740) of the Supplement to the Code, 1907, and as amended by chapter forty-seven (47) of the acts of the Thirty-third General Assembly, relating to the maintenance of certain institutions of benevolence, including hospitals.

Also:

House File No. 323, a bill for an act to repeal section five thousand twenty-eight-a (5028-a) of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the prevention and punishment of the desecration, mutilation or improper use of the flag of the United of America and the flag of the state of Iowa.

Also:

House File No. 110, a bill for an act to provide for the nomination of district judges in judicial districts composed wholly of one county and having a population of 75,000 or more, at the primary election.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

HOUSE FILES SIGNED.

The president announced that as president of the Senate he had signed in the presence of the Senate, House Files Nos. 54, 110, 115, 265, 266 and 323.

THIRD READING OF BILLS.

On motion of Senator Clarkson, House File No. 592, a bill for an act to repeal the law as it appears in section 4913-a of the supplement to the code, 1907, and to enact a substitute therefor in regard to bringing into certain state institutions and other places where inmates may lawfully be, drugs or liquors or weapons, explosives or other articles for use in making or attempting an escape, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clarkson 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, McManus, Nye, Perkins, Ream, Schrup, Sheean, Smith, Spaulding, White, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Chase, Cowles, Crist, DeWolf, Gillette, Hagemann, Hilsinger, Legel, McColl, Neal, Quigley, Robinson, Savage, Sullivan, Taylor, Thomas, Webber—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Balluff, House File No. 30, a bill for an act to amend section twenty-seven hundred twenty-seven-c (2727-c), of the supplement to the code, 1907, relating to the sal-

ary of the chief executive officer of the Iowa Soldiers' Orphans' Home at Davenport, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balluff 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, McManus, Neal, Perkins, Ream, Schrup, Sheean, Smith, Spaulding, Webber, White, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

None.

Absent or not voting:

Chase, Cowles, Crist, DeWolf, Farr, Francis, Gillette, Hagemann, Legel, Mattes, McColl, Nye, Quigley, Robinson, Savage, Sullivan, Taylor, Thomas—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Sheean, House File No. 490, a bill for an act to regulate the passing of automobiles or other vehicles by another traveling in the same direction, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Gillette was called to the chair at 3 P. M.

Senator Sheean 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.

President Harding resumed the chair at 3:10 P. M.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Gillette, Hagemann, Heald, Jewell, Jones, Kimball, Larrabee, Mattes, Perkins, Schrup, Sheean, Spaulding, Sullivan, Wilson of Appanoose, Wilson of Clinton—26.

The nays were:

Clarkson, Garrett, Malmberg, McManus, Neal, Nye, Ream, Thomas, Webber, White—10.

Absent or not voting:

Allen, Chase, Cowles, Crist, DeWolf, Farr, Hilsinger, Legel, McColl, Quigley, Robinson, Savage, Smith, Taylor—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Farr, House File No. 23, a bill for an act to provide for the appointment of clerk of the supreme court and reporter of the supreme court, to fix the term of office of such officials, and to repeal section 1067 of the code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Farr 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hilsinger, Jewell, Kimball, Larrabee, Malmberg, Mattes, McManus, Neal, Nye, Ream, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton —34.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, Crist, Crow, DeWolf, Garrett, Jones, Legel, McColl, Perkins, Quigley, Robinson, Savage, Taylor, White—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

SENATE FILES SIGNED.

President announced that as president of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 417, 486, 465, 230, 259, 142, 76, 267 and 72.

On motion of Senator Francis, House File No. 158, a bill for an act to repeal section 3705 of the code and to substitute in lieu thereof relative to the instructions of the district court, with report of committee recommending indefinite postponement, was taken up, and considered.

On the adoption of the report of the committee, a roll call was demanded.

Those favoring the motion were:

Balluff, Chase, Cowles, Crow, Doran, Dunnegan, Gillette, Hagemann, Hilsinger, Malmberg, Perkins, Quigley, Savage, Schrup, Sheean, Smith, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—20.

The nays were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crist, Darrah, DeWolf, Farr, Fellows, Francis, Garrett, Heald, Jewell, Jones, Kimball, Larrabee, Legel, McManus, Neal, Nye, Ream, Spaulding, Thomas, Webber—26.

Absent or not voting:

Mattes, McColl, Robinson, Taylor—4.

So the report of the committee was rejected.

Senator Francis offered the following amendment and moved its adoption:

I move to amend by inserting after the word "jury" in the seventh line of section three (3) of the bill the following:

"And must point out the grounds thereof specifically and with reasonable exactness; but upon a showing in a motion for a new trial that an error in such instructions was not discovered by the party claiming the error at the time of trial, such objections or exceptions may be made in the same manner in such motion for a new trial and no other objection or exception to the instructions shall be considered by the supreme court on appeal except those made as above provided."

Senator Hagemann moved the previous question.

Carried.

The amendment offered by Senator Francis was adopted.

Senator Francis 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crist, Darrah, DeWolf, Farr, Fellows, Francis, Garrett, Heald, Jewell, Jones, Kimball, Larrabee, Legel, Mattes, McColl, Nye, Ream, Taylor, Thomas, Webber, Wilson of Clinton—27.

The nays were:

Balluff, Chase, Cowles, Crow, Doran, Gillette, Hagemann, Hilinger, Malmberg, Perkins, Quigley, Savage, Schrup, Sheean, Smith, Sullivan, White, Wilson of Appanoose—18.

Absent or not voting:

Dunnegan, McManus, Neal, Robinson, Spaulding.—5.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Francis moved that the vote by which House File No. 158 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Smith asked for a division of the motion.

President divided the motion, submitting to the Senate the first part for a reconsideration of the vote by which House File No. 158 passed the Senate.

On the motion to reconsider, a roll call was demanded.

The ayes were:

Balluff, Chase, Crow, Doran, Gillette, Hagemann, Malmberg, Perkins, Quigley, Sheean, Smith, Sullivan, White, Wilson of Appanoose—14.

The nays were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Cowles, Darrah, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Neal, Nye, Ream, Schrup, Spaulding, Taylor, Thomas, Webber, Wilson of Clinton—28.

Absent or not voting:

Crist, DeWolf, Dunnegan, Mattes, McColl, McManus, Robinson, Savage—8.

So the motion to reconsider the vote was lost.

Senator Cowles filed the following motion:

MOTIONS FILED.

I move to reconsider the vote by which the motion to reconsider was lost.

LA MONTE COWLES.

On the question being raised the President held that a motion to reconsider the motion to reconsider the vote was no in order.

Senator Allen moved that the motion of Senator Cowles be laid on the table.

Senator Francis arose to a point of order as to whether the laying on the table of the motion by Senator Cowles would carry the bill with it.

The President held that in his opinion it would not.

Senator Clarkson arose to a point of order that the question before the Senate was on the motion of Senator Francis to lay his

moion to reconsider on the table. Senator Clarkson raised the further point of order that the motion pending to lay the motion of Senator Cowles on the table would be a substitute for the motion by Senator Francis to lay on the table and would be out of order.

President held the point of order not well taken.

On the motion to lay the motion of Senator Cowles on the table, a roll call was demanded.

Those favoring he motion were:

Allen, Ames, Balkema, Boe, Chase, Clarkson, Cowles, Francis, Garrett, Gillette, Heald, Jewell, Jones, Larrabee, Legel, Malmberg, Nye, Ream, Robinson, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—25.

The nays were:

Doran, Dunnegan—2.

Absent or not voting:

Arney, Balluff, Crist, Crow, Darrah, DeWolf, Farr, Fellows, Hagemann, Hilsinger, Kimball, Mattes, McColl, McManus, Neal, Perkins, Quigley, Savage, Schrup, Sheean, Smith, Taylor, Webber —23.

So the motion was laid on the table.

On motion of Senator Wilson, House File No. 224, a bill for an act to amend section 1989-a-41 of the supplement to the code, 1907, and amendments thereto relative to the compensation to be paid appraisers of damages and commissioners of drainage districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Heald, Hil-

singer, Jewell, McManus, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—28.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, Crist, Crow, DeWolf, Garrett, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Smith, Webber—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Doran, House File No. 460, a bill for an act submitting the creation of the county of Larrabee to the legal voters of the county of Kossuth, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran 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 ayes were:

Allen, Ames, Arney, Balkema, Cowles, Darrah, Doran, Farr, Fellows, Francis, Garrett, Heald, Jones, Kimball, Malmberg, Mattes, McColl, McManus, Nye, Perkins, Ream, Robinson, Smith, Spaulding, Taylor, Thomas, White—27.

The nays were:

Balluff, Boe, Chase, Clarkson, Crow, Dunnegan, Hilsinger, Quigley, Savage, Schrup, Sheean, Webber, Wilson of Clinton—13.

Absent or not voting:

Crist, DeWolf, Gillette, Hagemann, Jewell, Larrabee, Legel, Neal, Sullivan, Wilson of Appanoose—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator McManus asked unanimous consent of the Senate for the reconsideration of the vote by which House File No. 380 passed the Senate.

Objected to.

Senator Cowles, from the conference committee on Senate File No. 118, submitted the following report:

REPORT OF CONFERENCE COMMITTEE ON SUBSTITUTE FOR SENATE FILE NO. 118, BY DEWOLF.

To the Senate and House of Representatives of the Thirty-fifth General Assembly:

Your conference committee to which was referred substitute for Senate File No. 118, by DeWolf, "A bill for an act to confer additional powers upon trust companies, state and savings banks and to prescribe the conditions under which they may transact business," beg leave to report that they have had the same under consideration and recommend that the Senate concur in all of the amendments adopted by the House, except the amendment to section eight of the bill, and further recommend the following substitute for section eight of the bill as amended:

"Section 8. Trust companies, state or savings banks, may contract indebtedness or liability for the following purposes: for necessary expenses in managing and transacting business, for deposits, and to pay depositors, provided, that in pursuance of an order of the board of directors previously adopted, other liabilities not in excess of an amount equal to the capital stock may be incurred. But nothing herein contained shall limit the issuance, by trust companies, of debentures or bonds—the actual payment of which shall be secured by an actual transfer of real estate securities."

Senate Committee:
LAMONTE COWLES.
J. F. WEBBER.
E. P. MALMBERG.
G. E. HILSINGER.

House Committee:
JOHN W. JACOBS.
C. M. ERICKSON.
WM. BUXTON, JR.
GERRIT KLAY.

On motion, the report of the committee was adopted.

THIRD READING OF BILLS.

On motion of Senator Cowles, Senate File No. 118, a bill for an act to confer additional powers upon trust companies, state and savings banks and to prescribe the conditions under which they may transact business, was taken up, and considered.

Senator Cowles moved that the Senate adopt and concur in the following amendments proposed by the Conference committee: recommend that the Senate concur in all of the amendments adopted by the House, except the amendment to section eight of the bill, and further recommend the following substitute for section eight of the bill as amended:

Section 8. Trust companies, state or savings banks, may contract indebtedness or liability for the following purposes: for necessary expenses in managing and transacting business, for deposits, and to pay depositors, provided, that in pursuance of an order of the board of directors previously adopted, other liabilities not in excess of an amount equal to the capital stock may be incurred. But nothing herein contained shall limit the issuance, by trust companies, of debentures or bonds—the actual payment of which shall be secured by an actual transfer of real estate securities.

Senator Clarkson moved that further action be deferred until tomorrow at 1:30.

Motion lost.

On the question, "Shall the Senate adopt and concur in the conference committee amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Cowles, Crist, Crow, DeWolf, Dunnegan, Farr, Hagemann, Heald, Jones, Kimball, Legel, Malmberg, McColl, Nye, Quigley, Ream, Robinson, Savage, Schrup, Smith, Webber, White—27.

The nays were:

Boe, Chase, Clarkson, Darrah, Doran, Garrett, Gillette, Larrabee, Perkins, Spaulding, Thomas, Wilson of Appanoose—12.

Absent or not voting:

Fellows, Francis, Hilsinger, Jewell, Mattes, McManus, Neal, Sheean, Sullivan, Taylor, Wilson of Clinton—11.

So the amendments recommended by the conference committee having received a constitutional majority were declared adopted and concurred in.

On motion of Senator Webber, House File No. 591, a bill for an act specifying qualifications for county attorneys additional to

chapter 9, title 3, of the code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Webber 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 ayes were:

Ames, Balkema, Balluff, Boe, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Gillette, Hagemann, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Thomas, Webber, Wilson of Appanoose—32.

The nays were:

None.

Absent or not voting:

Allen, Arney, Chase, Cowles, DeWolf, Fellows, Francis, Garrett, Hilsinger, Jewell, Mattes, McManus, Neal, Sheean, Sullivan, Taylor, White, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Farr, House File No. 595, a bill for an act to repeal section 3093 of the code, and to enact a substitute therefor relating to sub-contractors' mechanics' liens and the liability of the owner of a building or structure to the principal contractor and the sub-contractors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Farr 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 nays were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Gillette, Hagemann, Heald, Jones, Larra-

bee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Savage, Spaulding, Thomas, Webber, White, Wilson of Appanoose—30.

The nays were:

None.

Absent or not voting:

Balluff, Chase, Cowles, Crist, DeWolf, Fellows, Francis, Garrett, Hilsinger, Jewell, Kimball, McManus, Neal, Ream, Schrup, Sheean, Smith, Sullivan, Taylor, Wilson of Clinton—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Arney, House File No. 474, a bill for an act to amend section six hundred and ninety-four-a (694-a) of the supplement to the code, 1907, relating to membership fees and dues in League of Iowa Municipalities, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee rejected.

Senator Arney offered the following amendment and moved its adoption:

Section 1. Cities and towns, including cities under special charter and under the commission plan of government may by resolution appropriate money out of the general fund and pay dues in the league of Iowa municipalities not to exceed annually the following amounts: Municipalities less than two thousand, ten dollars ($10.00); from two thousand to five thousand, twenty dollars ($20.00); from five thousand to ten thousand, thirty dollars ($30.00); from ten thousand to thirty thousand, forty dollars ($40.00); from thirty thousand to fifty thousand, fifty dollars ($50.00); all over fifty thousand, sixty dollars ($60.00); and in addition may pay the actual expenses of not more than two delegates to the meeting of such league.

Sec. 2. At the annual meeting of the league in 1913, the chief clerk of the state municipal accounting department shall meet with the league and formulate a system of accounting and reports to be adopted by the league and thereafter the league shall keep and make such accounts and reports as shall be required by said department, and the same shall be annually checked by the municipal accounting department and published in the volume of municipal accounts.

Sec. 3. That section six hundred and ninety-four-a (694-a), Supplement to the Code, 1907, be and the same is hereby repealed.

Adopted.

Senator Arney 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 ayes were:

Ames, Arney, Balkema, Boe, Crist, Crow, Darrah, Farr, Garrett, Hagemann, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Ream, Robinson, Savage, Thomas, Webber, White, Wilson of Clinton—26.

The nays were:

Chase, Doran, Perkins, Quigley, Smith, Spaulding, Wilson of Appanose—7.

Absent or not voting:

Allen, Balluff, Clarkson, Cowles, DeWolf, Dunnegan, Fellows, Francis, Gillette, Hilsinger, Jewell, McManus, Neal, Schrup, Sheean, Sullivan, Taylor—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Robinson asked unanimous consent that the Senate reconsider the vote by which Senate File No. 331 passed the Senate.

Consent granted.

Senator Robinson moved that Senate File No. 331 be recalled from the committee on Enrolled Bills and that the vote by which the bill passed the Senate be reconsidered.

Carried unanimously.

Senator Taylor, from the committee on Enrolled Bills, returned to the Senate, Senate File Uo. 331.

Senator Clarkson moved to strike out the enacting clause of Senate File No. 331.

Carried.

Senator Robinson moved that the enacting clause to House File No. 438 be stricken out.

Carried.

On motion of Senator Malmberg, House File No. 298, a bill for an act relating to elevators and warehouses on railroad land, and prescribing methods and conditions of procuring and holding sites therefor, and liability for loss or destruction thereof, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Malmberg moved the adoption of the following amendments:

Strike from the bill as adopted by the House all of section 1 and substitute in lieu thereof the following as section 1:

Section 1. That whenever a disagreement arises between the owner of an elevator or grain warehouse, coal shed, ice house, buying station, flour mill, or any other building used for receiving, storing or manufacturing any article of commerce transported or to be transported, situated on a railroad right of way, or on land owned or controlled by a railroad company, and such railroad company, as to the terms and conditions on which the same is to be continued thereon, or removed therefrom, or whenever application is made by any person, firm or corporation for the right to a site for such elevator or grain warehouse, coal shed, ice house, buying station, flour mill, or any other building used for receiving, storing or manufacturing any article of commerce transported or to be transported, and such railway company and said applicant cannot agree as to whether said elevator or grain warehouse shall be so placed on said right of way or on property owned or controlled by the railroad company, or as to the character of the buildings to be erected and placed thereon, or the place where the same is to be so erected and maintained, or as to the terms and conditions under which the same may be so placed or operated, then, and in every such event on written application to the board of railroad commissioners by such railroad company, person, firm or corporation the said board of railroad commissioners shall have authority, and it is hereby made their duty, as speedily as possible after the filing of such

application, to hear and determine such controversy, and make such order in reference thereto as shall be just and right between the parties under all the facts in the case, which order shall be enforced as other orders in said commission.

Adopted.

Senator Malmberg 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Ames, Cowles, Crist, DeWolf, Garrett, Hagemann, Jewell, Kimball, McManus, Neal, Nye, Perkins, Spaulding, Sullivan, Webber—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Malmberg offered the following amendment and moved its adoption:

I move to amend the title by inserting after the word "warehouses" the following words, "coal sheds, ice-houses, buying stations, flour mills and other buildings."

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate, and its title as amended was agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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:

Substitute for Senate File No. 417, a bill for an act providing for the election of United States senators by the vote of the people.

Also:

Senate File No. 486, a bill for an act to legalize the passage, adoption and publication of the ordinances of the incorporated town of Rowan, Wright county, Iowa.

Also:

Senate File No. 465, a bill for an act to legalize the special election held in the city of Valley Junction, Iowa, on the 14th day of March, 1913, wherein there was submitted to the voters of said city the question of purchasing or erecting and establishing a water works and electric light power plant, and also the question of the issuance of bonds in a sum not to exceed $65,000.00, for water works and electric light and power plant purposes, and to validate and legalize the proceedings of the city council had in relation to said special election preliminary to the the holding thereof, and to legalize the ballots used at said special election; the acts of the election boards in the conduct of said election and in making the returns thereof; the action of the city council in canvassing the returns of said election and declaring the result therof, and to legalize the bonds to be issued in pursuance thereof.

Also:

Senate File No. 230, a bill for an act to appropriate money to aid in paving east Washington street in the city of Mount Pleasant, Iowa.

Also:

Senate File No. 259, a bill for an act to repeal section twenty-three hundred eight-a (2308-a) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the payment of cost and expenses of non-resident insane patients.

Also:

Senate File No. 142, a bill for an act to repeal chapter one hundred thirty-seven (137) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the support of the industrial schools.

Also:

Senate File No. 76, a bill for an act to amend section twenty-six hundred eight (2608) of the Supplement to the Code, 1907, and establish a minimum monthly allowance for the support of the soldiers' home.

Also:

Substitute for Senate File No. 267, a bill for an act to amend section two thousand seventy-seven-a (2077-a) Supplement to the Code, 1907, as amended by chapter one hundred twenty-five (125) of the acts of the Thirty-third General Assembly, relating to the posting of bulletins at railway stations.

Also:

Senate File No. 72, a bill for an act to repeal sections two (2) four (4) and nine (9) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth General Assembly and to enact substitutes therefor, and amend section eight (8) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth (34) General Assembly, relating to the training of teachers for rural schools and making appropriation therefor.

JOHN H. TAYLOR,
Chairman.

Passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

House File No. 464, a bill for an act to repeal sections seven hundred twenty-nine-a (729-a), five hundred ninety-two-a (592-a) and seven forty-one-n (741-n), Supplement to the Code, 1907, and to enact substitutes therefor; to amend sections four hundred twenty-two (422), Supplement to the Code, 1907; and section twenty-eight hundred six (2806) of the Code; all relating to the benefits of free public libaries and to confer additional powers upon boards of library trustees, township trusttes, boards of county supervisors, boards of school directors, and city and town councils, in relation thereto.

Also:

House File No. 306, a bill for an act to amend sections seven hundred thirty-two (732), and eight hundred ninety-four (894), of the Supplement to the Code, 1907, relative to the levying of taxes for public libraries.

Also:

House Joint Resolution No. 4, joint resolution proposing an amendment to the constitution of the state of Iowa, authorizing the General Assembly to provide for the exclusive taxation of classes of property for state revenue purposes.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Substitute for Senate File No. 40, a bill for an act relating to the loaning and depositing of public funds by city treasurers.

Also:

Senate File No. 384, a bill for an act to amend the law as it appears in sections four hundred ninety (490) of the Supplement to the Code, 1907, and four hundred ninety-one (491) of the Code, 1897, relating to the compensation of county treasurers and their deputies.

Also:

Substitute for Senate File No. 79, a bill for an act to amend the law as it appears in sections twenty-eight hundred twenty-three-a (2823-a) and twenty-eight hundred twenty-three-i (2823-i) Supplement to the code, 1907, as amended by chapter one hundred eighty-six (186) and chapter one hundred eighty-seven (187) of the acts of the Thirty-third General Assembly, relative to the attendance of children of a certain age in pubilc scholls.

Also:

Senate File No. 448, a bill for an act for the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick for a certain tract of land.

Also:

Senate File No. 233, a bill for an act to provide for the election of delegates and alternate delegates to national conventions of political parties, for the election of party national committeemen, and delegates to county conventions, and for a preferential vote on president and vice-president of the United States (additional to chapter two-a, title six, Supplement to the Code, 1907,) relating to primary elections, and for submitting to the voters of the several parties the question: "Shall the vote of the state at large or the vote of the congressional district control?"

Also:

Senate File No. 170, a bill for an act relating to the practice of dentistry, and to repeal sections twenty-six hundred-i, (2600-i) and twenty-six hundred-j (2600-j) of the Supplement to the Code, 1907.

Also:

Senate File No. 436, a bill for an act granting additional powers to cities organized under the commission plan of government, and amending section one (1) of chapter sixty-seven (67) laws of the Thirty-third General Assembly.

Also:

Senate File No. 398, a bill for an act amending section nine hundred twenty-two (922) of the Supplement to the Code, 1907, relating to plats by auditor, providing that no such plats shall be made for real estate situated in cities acting under special charter.

Also:

Senate File No. 540, a bill for an act to legalize a special election of the city of Cedar Falls, Iowa, held March 10th, 1913, for the acquiring of a municipal electric light and power plant, and voting bonds therefor, and the resolutions and acts of the city council relating to such electric light and power plant.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, sumbitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Substitute for Senate File No. 40, a bill for an act relating to the loaning and depositing of public funds by city treasurers.

Also:

Senate File No. 384, a bill for an act to amend the law as it appears in sections four hundred ninety (490) of the Supplement to the Code, 1907, and four hundred ninety-one (491) of the Code, 1897, relating to the compensation of county treasurers and their deputies.

Also:

Substitute for Senate File No. 79, a bill for an act to amend the law as it appears in sections twenty-eight hundred twenty-three-a (2823-a) and twenty-eight hundred twenty-three-i (2823-i) Supplment to the Code, 1907, as amended by chapter one hundred eighty-six (186) and chapter one hundred eighty-seven (187) of the acts of the Thirty-third General Assembly, relative to the attendance of children of a certain age in pubilc schools.

Also:

Senate File No. 448, a bill for an act for the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick for a certain tract of land.

Also:

Senate File No. 233, a bill for an act to provide for the election of delegates and alternate delegates to national conventions of political parties, for the election of party national committeemen, and delegates to county conventions, and for a preferential vote on president and vice-president of the United States (additional to chapter two-a, title six, Supplement to the Code, 1907,) relating to primary elections, and for submitting to the voters of the several parties the question: "Shall the vote of the state at large or the vote of the congressional district control?"

Also:

Senate File No. 170, a bill for an act relating to the practice of dentistry, and to repeal sections twenty-six hundred-i, (2600-i) and twenty-six hundred-j (2600-j) of the Supplement to the Code, 1907.

Also:

Senate File No. 436, a bill for an act granting additional powers to cities organized under the commission plan of government, and amending section one (1) of chapter sixty-seven (67) laws of the Thirty-third General Assembly.

Also:

Senate File No. 398, a bill for an act amending section nine hundred twenty-two (922) of the Supplement to the Code, 1907, relating to plats by auditor, providing that no such plats shall be made for real estate situated in cities acting under special charter.

Also:

Senate File No. 540, a bill for an act to legalize a special election of the city of Cedar Falls, Iowa, held March 10th, 1913, for the acquiring of a municipal electric light and power plant, and voting bonds therefor, and the resolutions and acts of the city council relating to such electric light and power plant.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

THIRD READING OF BILLS.

On motion of Senator Spaulding, House File No. 613, a bill for an act to amend section 4852-d of the supplement to the code, 1907, relating to larceny of poultry, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Spaulding moved that the rule be suspended, 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Mattes, McColl, McManus, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Allen, Cowles, Crist, DeWolf, Jewell, Malmberg, Neal, Schrup, Sullivan, Taylor—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Clarkson, House File No. 124, a bill for an act to indemnify H. C. Jackson for personal injury sustained by him while employed as head farmer at the state hospital at Mt. Pleasant, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clarkson 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Ames, Cowles, Crist, DeWolf, Jewell, Neal, Schrup, Sullivan, Taylor—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Boe, House File No. 93, a bill for an act to repeal chapter one hundred forty-six (146) of the laws of the Thirty-fourth General Assembly, relating to high school tui-

tion, and to enact a substitute therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Boe moved the adoption of the following amendments:

Amend by striking out the paragraph beginning in line four (4) of section one (1) and inserting in lieu thereof the following: "Any person of school age who is a resident of a school corporation which does not offer a four year high school course and who has completed the course as approved by the department of public instruction for such corporation shall be permitted to attend any public high school or county high school in the state approved in like manner, that will receive him."

Adopted.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill as amended by inserting after the word "attend" and before the word "any" in the fourth line of the amendment reported by the committee, the following words, "the nearest high school or."

Lost.

Senator Balkema offered the following amendment and moved its adoption:

Amend section 4 by striking out the period (.) at the end of the third paragraph following the word and figures "($3.50) per month" the following: "except in high schools where free text books are provided by the district such additional amount may be charged as will cover the cost of the text books furnished to such pupil."

Adopted.

Senator Clarkson offered the following amendment and moved its adoption:

I move to amend the bill by adding the following as section two (2):

"The state superintendent of schools shall fix a standard which shall be a high school within the meaning of this act."

Lost.

Senator Balkema moved to reconsider the vote by which the former amendment offered by him was adopted.

Carried.

Senator Balkema offered the following amendmen and moved its adoption:

Amend section 1 by striking out the period (.) at the end of the third paragraph following the words and figures, "($3.50) per month," the following: "except in high schools where free text books are provided by the district such additional amount may be charged as will cover the cost of the text books furnished to such pupil."

Adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking out the first sentence of the second paragraph of section 1, being lines 1, 2, 3, 4, 5 6, and eding with the word "therefore" in the seventh line of said paragraph and insert the following:

"Any person applying for admission to any high school under the provisions of this act shall present the officials of said high school the affidavit of his or her father, mother or guardian that such applicant is of school age and a resdent of a school district of this state, specifying the district."

Adopted.

Senator Balkema offered the following amendment and moved its adoption:

I move to amend the bill by striking out the words and figrues, "three and one-half dollars ($3.50)" in paragraph 4, and insert in lieu thereof the words and figures "four and one-half ($4.50) dollars."

Amendment withdrawn.

Senator Boe 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Darrah, Doran, Dunnegan, Farr, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Perkins, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

Kimball—1.

Absent or not voting:

Cowles, Crist, Crow, DeWolf, Fellows, Hagemann, Jewell, Neal, Nye, Quigley, Schrup, Sullivan—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Boe, House File No. 377, a bill for an act to prohibit dances in the public high and grade schools or under the auspices of such schools or any organization or society thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson of Appanoose moved to strike out the enacting clause of the bill.

Motion lost.

Senator Boe 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 ayes were:

Allen, Arney, Balkema, Boe, Darrah, Dunnegan, Farr, Garrett, Gillette, Jones, Kimball, Larrabee, Legel, McColl, Nye, Perkins, Robinson, Taylor, Thomas—19.

The nays were:

Ames, Balluff, Chase, Clarkson, Cowles, Crow, DeWolf, Doran, Fellows, Heald, Hilsinger, Larrabee, Legel, McColl, Ream, Savage, Sheean, Smith, Wilson of Appanoose, Wilson of Clinton—20.

Absent or not voting:

Crist, Francis, Hagemann, Jewell, Neal, Quigley, Schrup, Spaulding, Sullivan, Weber, White—11.

So the bill having failed to receive a constitutional majority was declared lost.

On motion of Senator Chase, House File No. 45, a bill for an act providing that all common carriers operating trains within the state of Iowa and conveying live stock shall provide a car equipped with sleeping berths or bunks for the persons in charge of such live stock, and providing a penalty for failure to comply therewith, with report of committee recommending indefinite postponement, was taken up and considered.

On the adoption of the report of the committee, a roll call was demanded.

Those favoring the motion were:

Balluff, Boe, Cowles, DeWolf, Fellows, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Nye, Perkins, Quigley, Ream, Savage, Sheean, Smith, Webber, Wilson of Appanoose—20.

The nays were:

Allen, Ames, Arney, Balkema, Chase, Clarkson, Darrah, Doran, Dunnegan, Garrett, Gillette, Malmberg, Mattes, Robinson, Spaulding, Taylor, Thomas—19.

Crist, Crow, Farr, Francis, Hagemann, Jewell, McColl, McManus, Neal, Schrup, Sullivan, White, Wilson of Clinton—13.

So the bill was indefinitely postponed.

On motion of Senator Heald, House File No. 666, a bill for an act to amend section twenty-seven hundred sixty-one (2761) of the code relating to the duties of secretaries of school boards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Heald 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Darrah, DeWolf, Doran, Dunnegan, Fellows, Gillette, Heald, Hilsinger,

Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Nye, Perkins, Ream, Robinson, Sheean, Spaulding, Taylor, Thomas, Webber—30.

The nays were:

Cowles, Garrett—2.

Absent or not voting:

Chase, Crist, Crow, Farr, Francis, Hagemann, Jewell, McColl, McManus, Neal, Quigley, Savage, Schrup, Smith, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Darrah, House File No. 40, a bill for an act making it unlawful for candidate for any office to promise support or influence in behalf of another for any position, place or office in consideration of any other person supporting him, and providing a penalty therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Darrah moved that the rule be suspended, the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crist, Darrah, Doran, Farr, Fellows, Francis, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Robinson, Smith, Spaulding, Taylor, Thomas—26.

The nays were:

Balluff, Cowles, Dunnegan, Hilsinger, Nye, Quigley, Ream, Savage, Sheean, Webber, Wilson of Appanoose—11.

Absent or not voting:

Chase, Crow, DeWolf, Garrett, Hagemann, Jewell, McManus, Neal, Perkins, Schrup, Sullivan, White, Wilson of Clinton—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MOTIONS CONSIDERED.

Senator Kimball moved that the Senate take up for consideration the motion filed by Senator Heald relative to bills undisposed of on the calendar on Monday, April 14th.

Carried.

The motion of Senator Heald was adopted.

Journal of April 12 was taken up, corrected and approved.

INTRODUCTION OF BILLS.

By Sifting committee, Senate File No. 552.

A BILL for an Act to Amend the Law Relating to the Taking of Private Property for Works of Internal Improvement as the Same Appears in Section Twenty Hundred Twenty-four-d (2024-d) Supplement to the Code, 1907.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in section twenty hundred twenty-four-d (2024-d) Supplement to the Code, 1907, be and the same is hereby amended by striking out the word "which" in line nine (9) of said section, and inserting in lieu thereof the following: "except that the members of the sheriff's jury shall be selected by the chief justice of the supreme court of the state of Iowa upon receipt of notice from the sheriff of the county in which the real estate is situated that the application mentioned in Code section nineteen hundred ninety-nine (1999) has been made to such sheriff, and not more than one member of such jury shall be residents of the same county, and the names and place of residence of each juror so selected by the chief justice shall be returned by him and filed with said sheriff, and the."

Read first and second time and placed on calendar.

By Sifting committee, Senate File No. 551.

A BILL for an Act to Amend the Law Relating to the Investment of the Funds of Life Insurance Companies and Associations as the Same Appears in Section Eighteen Hundred Six (1806) Supplement to the Code, 1907.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in section eighteen hundred six (1806) Supplement to the Code, 1907, be and the same is hereby amended

by adding to sub-division four (4) of said section at the end thereof the following: "Any mortgage lien upon real estate shall not, for the purposes of this section, be held or construed to be other than a first lien by reason of the fact that drainage or other improvement assessments may have been levied against the real estate covered by said mortgage, whether the installments of said assessment be matured or not, provided, that in determining the value of said real estate for loan purposes, the amount of the drainage or other assessment tax unpaid, shall be deducted."

Read first and second time and placed on calendar.

Senator Balkema, from the committee on Roads and Highways, returned to the Senate, Senate File No. 340, which was referred to the Sifting committee.

Senator Francis, from the committee on Judiciary, returned to the Senate, Senate File No. 525, which was referred to the Sifting committee.

Senator DeWolf, from the committee on Food and Dairy, returned to the Senate, House File No. 107, which was referred to the Sifting committee.

Senator Francis moved that Senate do now adjourn until 9:30 tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER
DES MOINES, IOWA, APRIL 15, 1913.

Senate met in regular session at 9:30 A. M.

President Harding presiding.

Prayer was offered by Rev. E. A. Elliott, Des Moines, Iowa.

Senator Sullivan offered the following motion:

I move that the rules be suspended and that the vote by which House File No. 334 was indefinitely postponed be reconsidered.

JOHN B. SULLIVAN.

Carried.

Senator Sullivan moved that the vote by which the bill was indefinitely postponed be reconsidered.

Carried.

Senator Sullivan moved that House File No. 334 be recalled from the House and that it be referred to the Sifting committee.

Carried.

Senator Jewell introduced the following concurrent resolution:

SENATE CONCURRENT RESOLUTION.

Whereas, The congress of the United States, now assembled, is about to pass a law for the express purpose of examining all of the interstate streams, relative to their pollution and contamination, by having poured into them sewage and other sources of filth, thereby endangering the lives of the people in the states bordering on said interstate streams, and

Whereas, The secretary of the Iowa state board of health has been in communication with the national authorities, relative to an examination of the streams of Iowa, relative to their pollution and contamination, and has received encouragement that the national government is willing to co-operate with the state authorities relative to making an examination of all streams of Iowa relative to their pollution, and

Whereas, The United States congress may pass a law authorizing a co-operation with the authorities of the several states, now therefore be it,

Resolved, By the Senate, the House concurring, that the governor, secretary of state, auditor of state and treasurer of state, as an executive council of the state of Iowa, be and it is hereby authorized to take such steps as will aid the national authorities in making an examination of the streams of Iowa, relative to their pollution, and which is to be made under the direction of the national health authorities and the geological survey of the United States government, and be it further

Resolved, That the executive council herein named shall have power to delegate authority to the state board of health and its engineer, to act in conjunction with the national authorities, if the present plans now being considered by the congress of the United States should become a law.

Unanimous consent was given for consideration of the resolution.

Senator Jewell moved that the resolution be adopted.

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 failed to pass the following bill in which the concurrence of the House was asked:

Senate File No. 382, a bill for an act to regulate the compounding, manufacture and sale of certain habit-forming drugs or medicines, and preparations containing same.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended by substitute and passed the following bill in which the concurrence of the House was asked:

Senate File No. 200, a bill for an act to enable the state of Iowa to assist in the celebration of the 50th anniversary of the battle of Gettysburg, and to appropriate money therefor and provide for the disbursement thereof.

A. C. GUSTAFSON,
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. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the state college of agriculture and mechanic arts under the supervision of the president of said college and to repeal chapter 151 of the acts of the Thirty-third General Assembly and chapter 114 of the acts of the Thirty-fourth General Assembly

A. C. GUSTAFSON,
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. 519, a bill for an act to amend section 181 of the Code relating to joint committee on Retrenchment and Reform.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Malmberg, House Joint Resolution No. 10, amending Senate Joint Resolution No. 1 of the Thirty-fifth (35th) General Assembly relating to the compensation of additional employees of the Thirty-fifth General Assembly, was taken up, and considered.

Senator Malmberg moved that the Senate recede from its substitute amendment to House Joint Resolution No. 10.

Adopted.

Senator Malmberg moved that the Senate reconsider the vote by which the resolution passed the Senate and passed to its third reading.

Carried unanimously.

Senator Malmberg moved to reconsider the vote by which the Senate substitute was adopted.

Carried.

Senator Malmberg asked unanimous consent to withdraw the substitute.

Consent granted.

Senator Malmberg offered the following amendment and moved its adoption:

I move to amend House Joint Resolution No. 10 by adding thereto the following:

Sec. 3. That section two (2) of said Senate joint resolution be and the same is hereby amended by striking the last four words of said section, to-wit: "seventy dollars per month" and inserting in lieu thereof the words, "three dollars per day from and after February 1, 1913."

Sec. 4. That section eleven (11) of said Senate joint resolution be and the same is hereby amended by striking out the words "seventy dollars per month" and inserting in lieu thereof the words "three dollars per day from and after February 1, 1913."

Sec. 5. That section twelve (12) of said Senate joint resolution be and the same is hereby amended by striking from said section the word "sixty dollars per month" wherever the same appears in said section and inserting in lieu thereof the words "three dollars per day from and after February 1, 1913."

Adopted.

Senator Malmberg moved that the rule be suspended, 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 House Joint Resolution pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Hagemann, Heald, Hilsinger, Jewell, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—36.

The nays were:

None.

Absent or not voting:

Ames, Clarkson, Cowles, Crist, DeWolf, Francis, Gillette, Jones, Kimball, Larrabee, Perkins, Quigley, Sheean, Wilson of Clinton—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The time for Special Order having arrived, Senate File No. 542, a bill for an act establishing a department of agriculture; providing a board for the management thereof; providing the departments subject thereto and supervised thereby; prescribing the duties of said board; making an appropriation therefor, and repealing certain sections of the code and amendments thereto, and all acts and parts of acts in conflict therewith, was taken up and considered.

Senator Ames offered the following amendments and moved their adoption:

Substitute the following for section 14:

Sec. 14. From and after June 1, 1913, all power vested in and duties imposed upon the department of agriculture as now provided by law, together with the state board of agriculture as now organized, except as hereinafter provided, shall at said time vest in the state board of agriculture provided in this act, and the state board of agriculture as herein provided is hereby charged with all the duties incumbent upon the said department of agriculture and the state agricultural board as now existing, except as herein provided otherwise, and it shall be the duty of the present state board of agriculture on or before June 1, 1913, to transfer and deliver to the state board of agriculture herein provided all ecords, books and proceedings of their office and a full statement of all matters pertaining to said department, and to transfer all property and rights of whatever nature to the board herein provided for, and it is hereby made the duty of the treasurer of said agricultural society to make a full and complete accounting to the state treasurer of all moneys in his hands on or before the first day of June, 1913, and pay the same to the state treasurer and accept the receipt of said state treasurer therefor.

Senator Ames moved to amend section 18 by substituting in lieu thereof the following:

Also by adding section 19 and re-numbering the remaining section of the bill in accordance therewith:

Sec. 18. The board of agriculture herein provided shall have full control of the state fair grounds and improvements thereon belonging to the state. The right to construct street railways within said fair grounds and to operate the same is granted expressly subject to the right of revocation by the legislature of the state of Iowa and to the right of revocation thereof by the said state board of agriculture, and no vested right is granted hereby. Said street railway shall be constructed subject to such rules and regulations as to construction and operation thereof as may be at any time adopted by said state board of agriculture. If said state board of agriculture elect so to do, they may order the removal of said street railway at any time upon thirty (30) days notice to the company operating the same and shall have full right of enforcing, and said company in constructing said street railway shall be conclusively presumed to have accepted the provisions hereof and to have expressly consented to removal of its said railway upon said notice.

Sec. 19. A board to be styled the state fair board is hereby established, the purpose of which is to hold and conduct a state fair and to in other ways co-operate with the state board of agriculture as hereby provided in promoting the objects for which said board is established. The said state fair board shall have full power to hold and conduct annual fairs and exhibits upon the state fair grounds, may prescribe all necessary rules and regulations for the conduct thereof, and shall have power to enforce such clerical help and assistance for the management of said state fair and exhibits as may be deemed necessary. All receipts and expenditures connected with the state fair shall be recorded separately, and shall be in accordance with rules to be established by the said state fair board. The members of the state board of agriculture herein provided for and the governor of the state shall be ex-officio members of the state fair board, and the remaining members of the state fair board shall be selected in the manner now provided by law for the selection of members of the state board of agriculture and shall perform the same duties and receive the same compensation as the members of the state board of agriculture were entitled to receive under the law heretofore in force.

The state board of agriculture shall constitute the executive committee for the state fair board, and in the absence of the existence of a special committee for any particular purpose connected with the management of the state fair the said state board of agriculture shall have full power and authority to act with reference thereto.

The state fair board shall meet annually at the capitol upon such dates as it may determine and such other times as it may direct, and may make rules for calling special meetings and such other rules as may be necessary and proper to conduct the business and affairs of such board.

Adopted.

Senator Taylor moved that the bill be referred to the committee on Retrenchment and Reform.

Carried.

Senator Webber filed the following motion:

I move that the vote by which Senate File No. 394 passed to its third reading, and also the vote by which same failed to pass the Senate, be reconsidered.

J. F. WEBBER.

SENATE FILES SIGNED.

The President announced that as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 40, 384, 79, 448, 233, 170, 436, 398 and 540.

Senator Mattes moved that Senate File No. 543 be referred to committee on Retrenchment and Reform.

Carried.

HOUSE MESSAGES CONSIDERED.

Senate File No. 382, a bill for an act to regulate the compounding, manufacture and sale of certain habit forming and other drugs or medicines, and preparations containing same.

Passed on file.

Senate File No. 200, a bill for an act to enable the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg, and to appropriate money therefor and provide for he disbursement thereof.

HOUSE SUBSTITUTE AMENDMENT.

A Bill for an Act to Enable the State of Iowa to Assist in the Celebrabtion of the Fiftieth Anniversary of the Battle of Gettysburg, and to Appropriate Money Therefor and Provide for the Disbursement Thereof.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That out of the money of the state treasury not otherwise appropriated the sum of ten thousand dollars ($10,000.00) or so much thereof as may be necessary, is hereby appropriated for the purpose of enabling the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg upon that battlefield; said fund to be expended as follows: For each honorably discharged surviving participant of said battle, union or confederate, now residing in the state of Iowa, the actual expenses of railroad fare to and from said battlefield for the celebration of the fiftieth anniversary of said battle from July first to July fourth, 1913, under the auspices of the national government and

the state of Pennsylvania commission. In no case shall the cost exceed fifty dollars ($50.00). For the governor of Iowa for attendance at the said celebration, there shall be allowed the like expense of transportation for each person.

Sec. 2. That any citizen of Iowa who is a surviving veteran of the civil war on either side, but was not a participant in said battle, who was honorably discharged, and desires to pay his own transportation to and from such celebration, shall be included in such encampment with such subsistence as may be provided.

Sec. 3. That the present commander, John D. Brown, and the assistant adjutant general, George A. Newman, of the department of Iowa, grand army of the republic, together with Guy E. Logan, the adjutant general of Iowa, are hereby appointed a commission to disburse said appropriation under such rules and regulations as they may prescribe as to discharge, identification and presence at this battle of each veteran, with such additional details as they may require to protect said appropriation and secure its payment to those only within the provisions of this act. Such fund shall be paid to this commission on or before June 1, 1913, upon their requisition on the state auditor therefor.

Sec. 4. That the said commission shall give public notice through the press of the state, so far as the same can be done without expense for publishing, and by distributing printed circulars concerning this appropriation and the rules adopted as to those claiming the benefit thereof. They shall secure reduced transportation so far as may be, and shall pay out said fund to those only for whose benefit it is created as found by the commission entitled thereto, but in no case in excess of the actual railroad fare to and from said battlefield of Gettysburg. The said commission shall issue to each person entitled thereto a certificate showing his right to be included in the encampment at Gettysburg as a surviving participant of the battle of Gettysburg. The said commission shall serve without compensation, but the incidental expenses incurred by them shall be paid from such appropriation.

Sec. 5. Within thirty days from July 4, 1913, the said commission shall cover into the state treasury any portion of funds hereby appropriated which may have come into their hands and remain unexpended; and within thirty days thereafter they shall render to the governor of Iowa, to be laid before the next general assembly, a full account of their doings, together with a detailed account of all expenditures by them; provided that there shall be no authority to expend or contract for expenditures in excess of the amount hereby appropriated.

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 Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Passed on file.

Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa State College of Agriculture and Mechanic Arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing of hog cholera serum now being operted by the state of Iowa; to regulate the sale and keeping for sale, or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151) of the acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) of the acts of the Thirty-fourth General Assembly.

HOUSE AMENDMENTS.

Amend section 2 by striking out following the word "Iowa" in the second line the words "for use in his herd only."

Amend section 6 by inserting, following the period at the end of line eight, "and such permit shall specify the time and place, and when and where the said virus may be used." Also by striking out of the seventeenth and eighteenth line of section 6 the words, "veterinary appointees of said commission, or third."

Amend section 9 by inserting the word "wilfully" following the word "corporation" and before the word "using" in the second line.

Strike out section 11 and insert the following:

Sec. 11. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of twenty-five thousand dollars ($25,000.00) or as much thereof as may be necessary to carry out the provisions of this act. The above amount or so much thereof as may be necessary to carry out the provisions of said act shall be paid by warrants drawn by the auditor of state upon the state treasurer upon the order of the board of education.

Passed on file.

THIRD READING OF BILLS.

On motion of Senator Ames, Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa State College of Agriculture and Mechanic Arts under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing of

hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale, or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151) of the acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) of the acts of the Thirty-fourth General Assembly, was taken up and considered.

Senator Ames moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS.

Amend section 2 by striking out following the word "Iowa" in the second line the words "for use in his herd only."

Amend section 6 by inserting, following the period at the end of line eight, "and such permit shall specify the time and place, and when and where the said virus may be used." Also by striking out of the seventeenth and eighteenth line of section 6 the words, "veterinary appointees of said commission, or third."

Amend section 9 by inserting the word "wilfully" following the word "corporation" and before the word "using" in the second line.

Strike out section 11 and insert the following:

Sec. 11. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of twenty-five thousand dollars ($25,000.00) or as much thereof as may be necessary to carry out the provisions of this act. The above amount or so much thereof as may be necessary to carry out the provisions of said act shall be paid by warrants drawn by the auditor of state upon the state treasurer upon the order of the board of education.

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Jewell, Quigley—2.

The nays were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger Jones, Kimball, Legel, Malmberg, Mattes, McColl, Neal, Nye, Robinson, Savage, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—33.

Absent or not voting:

Clarkson, Cowles, Crist, Crow, DeWolf, Dunnegan, Hagemann, Larrabee, McManus, Perkins, Ream, Schrup, Smith, Taylor, Wilson of Clinton—15.

So the Senate refused to concur in House amendments.

On motion of Senator Neal, Senate File No. 200, a bill for an act to enable the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg, and to appropriate money therefor and provide for the disbursement thereof, was taken up and considered.

Senator Neal offered the following amendment to the House amendment and moved its adoption:

Amend Senate File No. 200 by striking out the last three words of section 1, as follows: "for each person".

Adopted.

Senator Neal moved that the Senate concur in the following House amendments as amended.

Section 1. That out of the money of the state treasury not otherwise appropriated the sum of ten thousand dollars ($10,000.00) or so much thereof as may be necessary, is hereby appropriated for the purpose of enabling the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg upon that battlefield; said fund to be expended as follows: For each honorably discharged surviving participant of said battle, union or confederate, now residing in the state of Iowa, the actual expenses of railroad fare to and from said battlefield for the celebration of the fiftieth anniversary of said battle from July first to July fourth, 1913, under the auspices of the national government and the state of Pennsylvania commission. In no case shall the cost exceed fifty dollars ($50.00). For the governor of Iowa for attendance at the said celebration, there shall be allowed the like expense of transportation for each person.

Sec. 2. That any citizen of Iowa who is a surviving veteran of the civil war on either side, but was not a participant in said battle, who was honorably discharged, and desires to pay his own transportation to and from such celebration, shall be included in such encampment with such subsistence as may be provided.

Sec. 3. That the present commander, John D. Brown, and the assistant adjutant general, George A. Newman, of the department of Iowa, grand

army of the republic, together with Guy E. Logan, the adjutant general of Iowa, are hereby appointed a commission to disburse said appropriation under such rules and regulations as they may prescribe as to discharge, identification and presence at this battle of each veteran, with such additional details as they may require to protect said appropriation and secure its payment to those only within the provisions of this act. Such fund shall be paid to this commission on or before June 1, 1913, upon their requisition on the state auditor therefor.

Sec. 4. That the said commission shall give public notice through the press of the state, so far as the same can be done without expense for publishing, and by distributing printed circulars concerning this appropriation and the rules adopted as to those claiming the benefit thereof. They shall secure reduced transportation so far as may be, and shall pay out said fund to those only for whose benefit it is created as found by the commission entitled thereto, but in no case in excess of the actual railroad fare to and from said battlefield of Gettysburg. The said commission shall issue to each person entitled thereto a certificate showing his right to be included in the encampment at Gettysburg as a surviving participant of the battle of Gettysburg. The said commission shall serve without compensation, but the incidental expenses incurred by them shall be paid from such appropriation.

Sec. 5. Within thirty days from July 4, 1913, the said commission shall cover into the state treasury any portion of funds hereby appropriated which may have come into their hands and remain unexpended; and within thirty days thereafter they shall render to the governor of Iowa, to be laid before the next general assembly, a full account of their doings, together with a detailed account of all expenditures by them; provided that there shall be no authority to expend or contract for expenditures in excess of the amount hereby appropriated.

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 Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

On the question, "Shall the Senate concur in the House amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Chase, Clarkson, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Robinson, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—38.

The nays were:

None.

Absent or not voting:

Balluff, Boe, Cowles, Crist, Crow, DeWolf, Perkins, Ream, Savage, Schrup, Taylor, Wilson of Clinton—12.

So the House Amendments having received a constitutional majority were declared concurred in.

The time for special order having arrived, House Joint Resolution No. 5, a joint resolution to amend the constitution relating to legislative authority; providing for the initiative and referendum with reference to the enactment of laws or laws enacted by the General Assembly, and amendments to the constitution, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clarkson moved that the rule be suspended, the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

HOUSE JOINT RESOLUTION NO 5.

JOINT RESOLUTION to Amend the Constitution Relating to Legislative Authority; Providing for the Initiative and Referendum with Reference to the Enactment of Laws, or Laws Enacted by the General Assembly, and Amendments to the Constitution.

Be it Resolved by the General Assembly of the State of Iowa:

That the following, designated as section one (1), be and the same is hereby proposed as an amendment to section one (1), of article three (III) of the legislative department of the constitution of the state of Iowa, which, when agreed to by this, the Thirty-fifth General Assembly, shall be referred to the Thirty-sixth General Assembly, and if by it agreed to, shall be referred to the qualified electors of the state of Iowa, and, if approved and ratified by a majority of the qualified electors voting thereon, it shall be valid as a part of the constitution of the state of Iowa, as amended, and, when said section one (1), of article three (III) of the legislative department is so amended, it shall read as follows:

Section 1. The legislative authority of this state shall be vested in a general assembly which shall consist of a Senate and House of Repreentatives, and the style of every law shall be, "Be it enacted by the general assembly of the state of Iowa", but the people reserve unto themselves the right and power to propose laws, to enact, approve or reject the same at the polls, independent of the general assembly, and reserve the right

and power to approve or reject any item, section or port of any act enacted by the general assembly, except otherwise provided by this section. The general assembly shall fix the number of qualified electors required to propose the enactment of any proposed law, which shall be not less than twelve (12%) per cent nor more than twenty-two (22%) per cent of the qualified electors of each of the congressional districts of the state. Every law proposed by the people shall be presented by petition, signed by the required number of qualified electors, addressed to and filed with the secretary of state not less than one hundred and fifty (150) days before the general election at which the proposed law shall be submitted. The petition shall contain the full text of the proposed law, with title and enacting clause.

If the proposed measure be to enact a law, the enacting clause shall be as follows: "Be it enacted by the people of the state of Iowa."

The right and power to initiate and enact laws shall be restricted within the same constitutional limitation as apply to the general assembly.

The required number of qualified electors required to exercise the right and power to require an act passed by the general assembly to be referred for approval or rejection shall be fixed by the general assembly, but shall not be less than ten (10%) per cent nor more than twenty (20%) per cent of the qualified electors of each of the congressional districts of the state. Petitions therefor shall be addressed to and filed with the secretary of state within ninety (90) days from the final adjournment of the general assembly which passed the act to which the petition is addressed, and shall contain a full text of that part of the act to be referred; but such right and power shall not extend or apply to an act passed by the general assembly relating to the preservation of the public peace, public health or appropriations for the support and maintenance of the department of state and state institutions. All acts, and parts thereof, enacted by the general assembly and submitted to the people shall be and remain in full force and effect until rejected by the people, as herein provided.

Until the general assembly enacts a law fixing the per cent of qualified electors required for petition, the required per cent shall in all cases be fifteen (15%) per cent of the qualified electors of each of the congressional districts of the state.

The whole number of votes cast for secretary of state at the regular general election last preceding the filing of petition shall be the basis for the number of legal voters required to sign such petition.

The veto power of the governor shall not apply or extend to any measure initiated and enacted by the people.

All measures for propsed laws under the initiative or referred under the referendum shall be submitted to the people for adoption or rejection at the regular biennial election first occurring after the filing of the petition.

All measures for proposed laws under the initiative shall become a law when approved by a majority of the voters whose votes are cast thereon, and shall take effect as hereinafter provided.

Any measure referred under the referendum shall cease to be a law when rejected by a majority of the voters whose votes ar cast thereon and proclamation has been made by the governor as hereinafter provided. All proposed laws under the initiative shall take effect and any measure referred under the referendum shall cease to be a law from and after the date of official declaration of the vote thereon by proclamation issued by the governor, which shall be not later than thirty days after the vote has been canvassed by the state canvassing board for that purpose, composed of the governor, secretary of state and attorney general, and certificate thereof made not later than December first following the election.

The petition comtemplated by this section shall consist of sheets having such general form, printed or written, as shall be prescribed by the secretary of state, and shall be signed by the required number of qualified electors, in their proper persons only, to which shall be attached the resident addresses of such persons signing the petition and the date of signing. To each of such sheets shall be attached and made a part thereof an affidavit of some qualified elector that each signature thereon is the signature of the person whose name it purports to be, and that, to the best of the knowledge and belief of the affiant, each of the persons signing said petition was, at the time of signing, a qualified elector. Such petition, so verified, shall be prima facie evidence that the signatures thereon are genuine and true, and that the persons signing the same are qualified electors of the state of Iowa.

Immediately upon the filing of a petition for the submission of a proposed law to the voters, the secretary of state shall submit the said proposed law to the supreme court for its opinion upon the constitutionality thereof, which shall be rendered within twenty (20) days, and if the court finds that the proposed measure conflicts with the constitution of the United States or the state of Iowa, the proposed measure shall not be submitted.

Until the general assembly shall provide by law a method of procedure of printing, distributing and submitting proposed measures, the secretary of state shall, ninety (90) days preceding the general election at which the measure will be voted upon, cause to be printed any and all measures for or to which petition has been filed, in pamphlet form, containing the full text thereof, with the title and enacting clause, together with arguments for and against the same, within the limits prescribed by the secretary of state. The number printed shall be not less than one for each voter voting at the last general election preceding the filing of the petition, which shall be delivered to the county auditor of each county.

Each voter in each voting precinct of each political party voting at the last general election, the auditor of each county shall deliver one copy to each precinct committeeman of each political party in the county.

The secretary of state shall submit all measures petitioned for in accordance with the provisions of this section, to the people for adoption or rejection at the polls in compliance herewith; but the right and power reserved to the people shall not operate to deprive or limit the power of the general assembly to enact laws.

If, at an election, conflicting measures submitted to the voters of the state shall be approved by a majority of the votes, severally cast thereon, the measure receiving the highest number of affimative votes shall become law as to all conflicting provisions.

Insofar as applicable, the provisions of this amendment shall govern in the initiative and adoption of amendments to the constitution; provided, however, that no amendment so submitted shall become a part of the constitution until it shall have first received an affirmative majority vote at two successive regular biennial elections, the majority vote at the first of which shall be the authority for preparation of the ballot and re-submission at the second. The word "enacted" shall be replaced by the word "resolved" in the enacting clause when amendments to the constitution are submitted.

This section of the constitution shall be, in all respects, self-executive.

On the question, "Shall the joint resolution pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crow, Darrah, DeWolf, Doran, Fellows, Francis, Garrett, Gillette, Hagemann, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Ream, Robinson, Schrup, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—35.

The nays were:

Balluff, Cowles, Heald, Hillsinger, Perkins, Quigley, Savage—7.

Absent or not voting:

Crist, Dunnegan, Farr, Kimball, Sheean, Smith, Taylor, Wilson of Clinton—8.

So the joint resolution having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

INTRODUCTION OF BILLS.

By committee on Appropriations, Senate File No. 553.

A BILL for an Act Making an Appropriation for Carrying out the Provisions of Senate File No. 491.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That there is hereby appropriated out of the funds in the state treasury, not otherwise appropriated, the sum of two thousand dollars ($2,000.00), or so much thereof as may be necessary for carrying out the provisions and stipulations of Senate File No. 491, Thirty-fifth General Assembly. Said sums of money to be paid by the state treasurer on order of the state board of health on warrants properly certified by said board.

Read first and second time and ordered printed in the Journal and placed on the Calendar.

THIRD READING OF BILLS.

On motion of Senator Perkins, Senate File No. 161, a bill for an act in relation to the government and discipilne of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation for the labor of patients amendatory to, was taken up, and considered.

Senator Perkins moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS.

Amend section 3 by striking therefrom the words, "as is provided by section twenty-three hundred ten-a-ninteen (2310-a-19) Supplement to the Code, 1907" and substituting therefor the words "as provided by law."

Amend by striking out the words in lines 7 and 8 in section 5, "at the discretoin of" and in line 8 following the word "superintendent" strike out the word "may" and insert the word "shall".

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Cowles, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Boe, Clarkson, Crist, DeWolf, Farr, Heald, Mattes, Quigley, Savage, Taylor—10.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator White, House File No. 312, a bill for an act to confer certain powers on cities organized under the commission form of government and on cities having a population of five thousand (5,000) or more organized under chapter two (2) of title five (5) of the code, and cities organized under special charter, relating to the organization, equipment and operations of fire departments and providing for the levy and collection of a special tax for the use and benefit of such fire departments and granting power to anticipate said tax and to issue fire fund certificates or bonds, was taken up, and considered.

Senator White moved that the Senate concur in the following House amendment to Senate amendment:

Add the following: also strike out the words "or maintaining" in line 12 of section 1.

On the question, "Shall the Senate concur in House amendments to Senate amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Gargett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—43.

The nays were:

None.

Absent or not voting:

Cowles, Crist, DeWolf, Malmberg, Mattes, Savage, Taylor—7.

So the House amendment having received a constitutional majority was declared concurred in.

On motion of Senator Sullivan, Senate File No. 99, a bill for an act amending section seven hundred ninety-two (792) of the code of 1897, relating to street improvements, was taken up, and considered.

Senator Sullivan moved that the Senate concur in the following House amendments:

HOUSE AMENDMENT.

Add to section 1. Provided, hovewer, no salvage may be sold hereunder until the owner, or his agent, of abutting property shall have been given ten days notice in writing requiring him to elect whether he himself desires such salvage, which notice shall be personally served on the owner or his agent, or, of neither be found, by posting in a conspicuous place on the abutting property. The election, if made, shall be in writing and filed with the city clerk. Any owner electing to take his salvage shall not be entitled to a pro rata distribution derived from the proceeds of sale of any salvage hereunder.

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Ames, Balkema, Boe, Chase, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Mattes, Neal, Nye, Ream, Robinson, Schrup, Smith, Spaulding, Sullivan, Webber, White, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Allen, Arney, Balluff, Clarkson, Cowles, Crist, Crow, DeWolf, Farr, Hagemann, Legel, Malmberg, McColl, McManus, Perkins, Quigley, Savage, Sheean, Taylor, Thomas—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Mattes, Senate File No. 549, a bill for an act making appropriation for the purchase of twenty thousand (20,000) copies of the railroad commissioners' official maps to be distributed by the members of the General Assembly, the department of public instruction and railroad commissioners, was taken up, and considered.

The bill was read for information.

Senator Allen offered the following amendment and moved its adoption:

Strike out the words and figures "twenty thousand (20,000)" in second line of section 1 and insert the words and figures "ten thousand (10,000)."

Lost.

Senator Mattes moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Balkema, Boe, Chase, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

Arney, Schrup—2.

Absent or not voting:

Allen, Balluff, Clarkson, Cowles, Crist, DeWolf, Francis, Perkins, Taylor—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator McManus moved that the Senate request the House to return to the Senate, House File No. 380.

Carried.

Senator McManus asked unanimous consent of the Senate to reconsider the vote by which House File No. 380 passed the Senate.

Consent granted.

Senator McManus moved that the Senate reconsider the vote by which House File No. 380 passed the Senate.

Carried.

The time having arrived for special order, Senate File No. 442, a bill for an act providing for the raising of revenue for state, county, town, cities and other sub-divisions by taxation, and providing by whom and in what manner assessments, equalization and levies shall be made, and repealing sections one thousand three hundred and seven (1307), one thousand three hundred and eight (1308), one thousand three hundred and nine

(1309), one thousand three hundred and ten (1310), one thousand three hundred and eleven (1311), one thousand three hundred and twelve (1312), one thousand three hundred and thirteen (1313), one thousand three hundred and fourteen (1314), one thousand three hundred and fifteen (1315), one thousand three hundred and sixteen (1316), one thousand three hundred and seventeen (1317), one thousand three hundred and eighteen (1318), one thousand three hundred and nineteen (1319), one thousand three hundred and twenty (1320), one thousand three hundred and twenty-three (1323), one thousand three hundred and twenty-four (1324), one thousand three hundred and twenty-five (1325), one thousand three hundred and twenty-six (1326), one thousand three hundred and twenty-seven (1327), one thousand three hundred and thirty-two (1332), one thousand three hundred and thirty-five (1335), one thousand three hundred and thirty-six (1336), one thousand three hundred and thirty-eight (1338), one thousand three hundred and thirty-nine (1339), one thousand three hundred and forty-one (1341), one thousand three hundred and forty-two (1342), one thousand three hundred and forty-three (1343), one thousand three hundred and forty-four (1344), one thousand three hundred ond forty-five (1345), one thousand three hundred and forty-six (1346), one thousand three hundred and forty-seven (1347), one thousand three hundred and fifty (1350), one thousand three hundred and fifty-one (1351), one thousand three hundred and fifty-two (1352), one thousand three hundred and fifty-three (1353), one thousand three hundred and fifty-four (1354), one thousand three hundred and fifty-five (1355), one thousand three hundred and fifty-six (1356), one thousand three hundred and fifty-seven (1357), one thousand three hundred and fifty-eight (1358), one thousand three hundred and fifty-nine (1359), one thousand three hundred and sixty-two (1362), one thousand three hundred and sixty-four (1364), one thousand three hundred and sixty-five (1365), one thousand three hundred and sixty-seven (1367), one thousand three hundred and sixty-eight (1368), one thousand three hundred and sixty-nine (1369), one thousand three hundred and seventy (1370), one thousand three hundred and seventy-five (1375), one thousand three hundred and seventy-six (1376), one thousand three hundred and seventy-seven (1377), one thousand three hundred and seventy-nine (1379), one thousand three hundred and eighty-one (1381), one thousand three hundred and eighty-

four (1384), one thousand three hundred and eighty-six (1386), one thousand three hundred and eighty-seven (1387), one thousand three hundred and eighty-eight (1388), of the code as the same are amended by the acts of the Thirty-third and Thirty-fourth General Assemblies and sections one thousand three hundred and three (1303), one thousand three hundred and four (1304), one thousand three hundred and four-a (1304-a) one thousand three hundred and five (1305), one thousand three hundred and five-a (1305-a), one thousand three hundred and six-b (1306-b), one thousand three hundred and six-c (1306-c), one thousand three hundred and six-d (1306-d) one thousand three hundred and six-e (1306-e), one thousand three hundred and six-f (1306-f), one thousand three hundred and twenty-one (1321), one thousand three hundred and twenty-eight (1328), one thousand three hundred and twenty-nine (1329), one thousand three hundred and thirty (1330), one thousand three hundred and thirty-a (1330-a), one thousand three hundred thirty-b (1330-b), one thousand three hundred thirty-c (1330-c), one thousand three hundred and thirty-d (1330-d), one thousand three hundred and thirty-e (1330-e), one thousand three hundred and thirty-f (1330-f), one thousand three hundred and thirty-g (1330-g), one thousand three hundred and thirty-h (1330-h), one thousand three hundred and thirty-i (1330-i), one thousand three hundred and thirty-one-a (1331-a), one thousand three hundred and thirty-three (1333), one thousand three hundred and thirty-three-a (1333-a), one thousand three hundred and thirty-three-b (1333-b), one thousand three hundred and thirty-three-c (1333-c), one thousand three hundred and thirty-three-d (1333-d), one thousand three hundred and thirty-three-e (1333-e), one thousand three hundred and thirty-four (1334), one thousand three hundred and thirty-four-a (1334-a), one thousand three hundred and thirty-four-b (1334-b), one thousand three hundred and thirty-four-c (1334-c), one thousand three hundred and thirty-seven (1337), one thousand three hundred and thirty-seven-a (1337-a), one thousand three hundred and thirty-seven-b (1337-b), one thousand three hundred and forty (1340), one thousand three hundred and forty-a (1340-a), one thousand three hundred and forty-b (1340-b), one thousand three hundred and forty-c (1340-c), one thousand three hundred and forty-d (1340-d), one thousand three hundred and forty-e (1340-e), one thousand three hundred and forty-f (1340-f), one thousand three hun-

dred and forty-two-a (1342-a), one thousand three hundred and forty-two-b (1342-b), one thousand three hundred and forty-two-c (1342-c), one thousand three hundred and forty-two-d (1342-d), one thousand three hundred and forty-two-e (1342-e), one thousand three hundred and forty-two-f (1342-f), one thousand three hundred and forty-two-g (1342-g), one thousand three hundred and forty-six-a (1346-a), one thousand three hundred and forty-six-b (1346-b), one thousand three hundred and forty-six-c (1346-c), one thousand three hundred and forty-six-d (1346-d), one thousand three hundred and forty-six-e (1346-e), one thousand three hundred and forty-six-f (1346-f), one thousand three hundred and forty-six-g (1346-g), one thousand three hundred and forty-six-h (1346-h), one thousand three hundred and forty-six-i (1346-i), one thousand three hundred and forty-six-j (1346-j), one thousand three hundred and forty-seven-a (1347-a), one thousand three hundred and forty-eight (1348), one thousand three hundred and sixty (1360), one thousand three hundred and sixty-one (1361), one thousand three hundred and seventy-one (1371), one thousand three hundred and seventy-two (1372), one thousand three hundred and seventy-three (1373), one thousand three hundred and seventy-three-a (1373-a), one thousand three hundred and seventy-eight (1378), one thousand three hundred and eighty-a (1380-a), one thousand three hundred and eighty-b (1380-b), one thousand three hundred and eighty-c (1380-c), one thousand three hundred and eighty-d (1380-d), one thousand three hundred and eighty-two (1382), one thousand three hundred and eighty-two-a (1382-a), one thousand three hundred and eighty-three, one thousand three hundred and eighty-five-a (1385-a), one thousand three hundred and eighty-five-b (1385-b), one thousand three hundred and eighty-five-c (1385-c), one thousand four hundred-a (1400-a), one thousand four hundred-b (1400-b), one thousand four hundred-c (1400-c), one thousand four hundred-d (1400-d), one thousand four hundred-e (1400-e), one thousand four hundred-f (1400-f), one thousand four hundred-g (1400-g), one thousand four hundred-h (1400-h), one thousand four hundred-i (1400-i), one thousand four hundred-j (1400-j), one thousand four hundred-k (1400-k), one thousand four hundred-l (1400-l), one thousand four hundred-m (1400-m), one thousand four hundred-n(1400-n), one thousand four hundred-o (1400-o), one thousand four hundred-p (1400-p), of the supplement to the code, 1907, as the same are amended by the

acts of the Thirty-third and Thirty-fourth General Assemblies, and repealing chapter eighty-seven (87) of the acts of the Thirty-third General Assembly and chapter sixty-three (63) of the acts of the Thirty-fourth General Assembly, and amending all other acts and parts of acts inconsistent with the provisions of this act so as to conform with the provisions of this act, was taken up, and considered.

Senator Smith moved that the bill be referred to the committee on Retrenchment and Reform.

Senator Francis was called to the chair at 11:25 A. M.

Senator Webber moved that the motion of Senator Smith be laid on the table.

Motion withdrawn.

President Harding resumed the chair at 11:35 A. M.

Senator Webber moved to lay the motion to refer to the committee on Retrenchment and Reform on the table.

Senator Sullivan arose to a point of order that Senator Webber had arisen to make a speech and was not in position to make a motion.

President Harding held the point of order well taken.

Senator Doran moved the previous question.

Declared out of order.

Senator Smith arose to the point of order that as Senator Allen arose to a question of personal privilege that he was not in order in discussing the bill under consideration.

President held the point of order not well taken.

Senator Gillette moved the previous question.

Carried.

On the motion of Senator Smith to refer the bill to the committee on Retrenchment and Reform, a roll call was demanded.

Those favoring the motion were:

Ames, Balkema, Chase, Cowles, Crow, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, McColl, McManus, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Thomas, Webber, White, Wilson of Appanoose—32.

The nays were:

Allen, Arney, Balluff, Boe, Clarkson, Darrah, Farr, Larrabee, Legel, Malmberg, Mattes, Neal, Perkins, Spaulding, Wilson of Clinton—15.

Absent or not voting:

Crist, Savage, Taylor—3.

Motion carried.

Senator Mattes moved that the Senate do now adjourn until 1:30 P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M., President Harding presiding.

MOTION WITHDRAWN.

Senator Hilsinger filed the following motion:

"I ask unanimous consent to withdraw the motion to reconsider which I filed last Friday on adjournment resolution.

"HILSINGER."

Unanimous consent granted and motion withdrawn.

THIRD READING OF BILLS.

On motion of Senator McColl, Senate File No. 212, a bill for an act to provide for the erection of a women's and children's building on the Iowa state fair and exposition grounds, and to make an

appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Webber was called to the chair at 1:45.

Senator Larrabee offered the following amendment and moved its adoption:

"I move to strike out the words and figures, seventy-five thousand dollars ($75,000.00) as the same appears in lines three and four of the printed bill and inserting in lieu thereof the words and figures, "fifty thousand dollars ($50,000.00)."

Senator Francis moved the previous question.

Carried.

Senator Gillette was called to the chair at 2:20.

On the adoption of the amendment offered by Senator Larrabee a roll call was demanded.

Those favoring the motion were:

Arney, Balkema, Chase, Fellows, Francis, Garrett, Gillette, Hagemann, Larrabee, Legel, Malmberg, McColl, Nye, Perkins, Quigley, Ream, Schrup, Sheean,—18.

The nays were:

Allen, Ames, Balluff, Boe, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Heald, Hilsinger, Jewell, Jones, Kimball, Mattes, McManus, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton —28.

Absent or not voting:

Clarkson, Cowles, Farr, Neal—4.

So the amendment was lost.

The bill was read for information.

Senator Mattes moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Balluff, Boe, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Francis, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Larraee, Legel, Mattes, McColl, McManus, Neal, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton —36.

The nays were:

Arney, Chase, Clarkson, Farr, Garrett, Hagemann, Malmberg, Nye, Perkins, Quigley, Ream, Schrup, Sheean—13.

Absent or not voting:

Fellows—1.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 326, a bill for an act making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 327, a bill for an act making an appropriation to enable the state railroad commission to investigate and prepare cases affecting Iowa intrastate rates and services.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 170, a bill for an act to encourage the dairy and beef growing industries of the state of Iowa, and to aid in providing instruction in practical and scientific methods and making an appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 687, a bill for an act to repeal sections 2823-j, 2823-k, 2823-l and 2823-m, Supplement to the Code, 1907, and enact a substitute therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 provide additional chairs in the college of homeopathic medicine of the state university of Iowa, additional to chapter 168, acts of the 16th general assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 establish the state colony for epileptics and making an appropriation for the purchase of land and the erection of buildings for said colony.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 295, a bill for an act to provide for the care and treatnemt of indigent children under the direction of the state board of control, and to make an appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 537, a bill for an act to legalize certain warrants of the town of Milford, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 294, a bill for an act to repeal section 3308 of the Code and to enact a substitute therefor, relating to release and discharge of liens by foreign administrators, executors and guardians.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 516, a bill for an act to legalize a certain election held January 13, 1913, in town of Miles, Jackson county, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 368, a bill for an act to require the registration of charitable organizations soliciting public aid and providing penalty for the violations thereof.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 265, a bill for an act providing for the deposit by state and savings banks with the treasurer of the United States of securities to secure postal savings deposits made in such banks under the provision of the postal savings bank act.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed by substitute amendment the following bill in which the concurrence of the House was asked:

Senate File No. 510, a bill for an act to amend the law as it appears in section 1532, Supplement to the Code, 1907, as amended by the acts of the Thirty-third General Assembly, relative to establishment of roads districts for state lands and providing for the payment of the cost of maintaining roads therein.

A. C. GUSTAFSON,
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. 289, a bill for an act to amend the law as it appears in section 2472 of Supplement to Code, 1907, etc., all relating to the bureau of labor statistics, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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:

Substitute for Senate File No. 6, a bill for an act to repeal section 1, chapter 106, acts of the Thirty-fourth General Assembly, and enact a substitute therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House concurs in Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

Senate File No. 435, a bill for an act authorizing the issue of flood protection bonds by cities of the first class and cities acting under the commission plan of government.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House amendments to the following bill in which the concurrence of the House was asked:

Senate File No. 87, a bill for an act amending section 2578 of the Supplement to the Code, 1907, relating to unprofessional conduct.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted report of conference committee and the conference committee amendments:

Substitute for Senate File No. 118, a bill for an act to confer additional powers upon trust companies, state and savings banks and to prescribe the conditions under which they may do business.

A. C. GUSTAFSON,
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. 93, a bill for an act to repeal chapter 146 of the acts of the Thirty-fourth General Assembly, relating to high school tuition, and to enact a substitute therefor.

A. C. GUSTAFSON,
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. 298, a bill for an act relating to elevators and warehouses on railroad land and prescribing methods and conditions of procuring and holding sites therefor, and liability for loss or destruction thereof.

A. C. GUSTAFSON,
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. 40, a bill for an act making it unlawful for any candidate for any office to promise support or influence in behalf of another for any position, place or office in consideration of another person supporting him, and providing a penalty therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House concurs in House amendments to the following bill in which the concurrence of the Senate was asked:

House File No. 158, a bill for an act to repeal section 3705 of the Code and to substitute in lieu thereof relative to instructions of the district court.

A. C. GUSTAFSON,
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. 474, a bill for an act to amend section 694-a of the Supplement to the Code, 1907, relating to membership fees and dues in league of Iowa municipalities.

A. C. GUSTAFSON,
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. 458, a bill for an act to promote patriotism and to provide for the display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state.

A. C. GUSTAFSON,
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. 506, a bill for an act permitting the payment of special assessments for drainage purposes by warrants drawn upon drainage funds.

A. C. GUSTAFSON,
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:

Senate concurrent resolution relative to memorializing congress in regard to examination of interstate streams.

A. C. GUSTAFSON,
Chief Clerk.

On motion of Senator Francis, Senate File No. 546, a bill for an act to enable benefited property to aid in the construction of trolley or electric railroads of the electrification or steam railroads, being additional to chapter five (5) of title ten (10) of the code of 1897, as amended, was taken up and considered.

MOTION WITHDRAWN.

By unanimous consent Senator Hagemann withdrew his motion to reconsider the vote by which Senate File No. 546 passed the Senate.

On motion of Senator Spaulding, House File No. 288, a bill for an act to make an appropriation for the payment of the expenses of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance at the final hearing in the case before the Interstate Commerce Commission involving general advancement in rates, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Spaulding moved that the rule be suspended, 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Mattes, McColl, McManus, Neal, Robinson, Savage, Schrup, Smith, Spaulding, Taylor, Thomas, Webber, White, Wilson of Appanoose—37.

The nays were:

Farr, Gillette, Malmberg, Perkins, Ream—5.

Absent or not voting:

Cowles, Hagemann, Legel, Nye, Quigley, Sheean, Sullivan, Wilson of Clinton—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

HOUSE FILES SIGNED.

The President announced that as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 484, 633, 131, 490, 646, 160, 417, 657, 519, 291, 20, 517, 464, 306, and House Joint Resolution No. 4.

Senator DeWolf introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

CONCURRENT RESOLUTION Relative to Represenatation of the State of Iowa and the City of Waterloo, Iowa at the Panama-Pacific International Exposition to be Held at San Francisco, California, Celebrating the Opening and Commercial Use of the Panama Canal.

Whereas, an official invitation has been extended to the state of Iowa to take part in and to be represented at such exposition, and

Whereas, the legislature of Iowa has refused to make an appropriation whereby the said state of Iowa may be represented at the said exposition, and

Whereas, the city of Waterloo, Iowa, desires to be represented at the said exposition and stands ready by and through its commercial organizations to provide an adequate sum of money to erect a building which will be a credit to the said city of Waterloo and to the state of Iowa, and to provide for an exhibition of the industries and agricultural pursuits of the said state of Iowa, now therefore,

Be it Resolved by the Senate, the House Concurring:

That permission is hereby granted to the said city of Waterloo, Iowa, to officially accept, upon the part of the said city and the said state of Iowa, the invitation to be represented at and to take part in the said exposition and that the building erected at the said exposition by the said citiezns of Waterloo, shall be the official headquarters of the said state at such exposition.

Laid over under the rules.

On motion of Senator Mattes, Senate File No. 550, a bill for an act providing for the levy of special taxes upon the assessed valuation of the taxable property of the state for the erection and improvement of buildings, for appurtenances and connections for the Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, School for the Deaf, Institution for Feeble-minded Children, State Sanatorium for the Treatment of Tuberculosis, State Industrial Schools, State Hospitals, Penitentiary, Reformatory, State Colony for Epileptics, Iowa Industrial Reformatory for Females and District Custodial

Farms, and for the purchase of land and to develop and maintain industries, and repealing acts and parts of acts in conflict with this act, was taken up and considered.

Senator Mattes 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Cowles, Darrah, Dunnegan, Fellows, Francis, Hagemann, Heald, Hilsinger, Jewell, Jones, Larrabee, Malmberg, Mattes, McColl, McManus, Nyc, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

Doran—1.

Absent or not voting:

Boe, Crist, Crow, DeWolf, Farr, Garrett, Gillette, Kimball, Legel, Neal, Schrup, Smith—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORTS OF COMMITTEE.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 564, a bill for an act making provisions for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines River, improvement grant as school lands; beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Strike out of the fourth line of section four the period, and insert in lieu thereof a comma, and then add theerto the following: "not to exceed two hundred three and eighty-seven hundredths dollars ($203.87)." and when so amended the bill do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 241, a bill for an act to repeal section two thousand five hundred and seventy-five-a-52 (2575-a-52) of the Supplement to the Code, 1907, and to enact a substitute therefor, making annual appropriations for carrying on the work of the state entomologist; beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate File No. 252, a bill for an act to amend the law as it appears in sections eighty-six (86), ninety-eight (98), one hundred and fifteen (115) and two hundred and eleven (211) of the Code, and sections twenty-six hundred and twenty-seven (227) and two hundred and five (205), Supplement to the Code, 1907, relating to the compensation of the secretary of state, the auditor of state, the treasurer of state, the attorney general, the superintendent of public instruction and the clerk of the supreme court; beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 252—BY COMMITTEE ON APPROPRIATIONS.

A BILL for an Act to Amend the law as it Appears in Sections Eighty-six (86), Ninety-eight (98), One Hundred Ffteen (115) and Two Hundred Eleven (211) of the Code, and Section Two Hundred Fve (205), Supplement to the Code, 1907, Relating to the Compensation of the Secretary of State the Auditor of State, the Treasurer of State, the Attorney General, and the Clerk of the Supreme Court.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law, as it appears in section eighty-six (86) of the Code, be and the same is hereby amended by striking from the second line of said section the word "twenty-two" and inserting in lieu thereof the word "thirty-six".

Sec. 2. That the law, as it appears in section ninety-eight (98) of the Code, be and the same is hereby amended by striking from the second line of said section the word "twenty-two" and inserting in lieu thereof the word "thirty-six".

Sec. 3. That the law, as it appears in section one hundred fifteen (115) of the Code, be and hereby is amended by striking from the second line of said section the word "twenty-two" and inserting in lieu thereof the word "thirty-six".

Sec. 4. That the law, as it appears in section two hundred eleven (211) of the Code, be and the same is hereby amended by striking from the second line of said section the word "four" and inserting in lieu thereof the word "five".

Sec. 5. That the law, as it appears in section two hundred five (205) of the Supplement to the Code, 1907, be and the same is hereby amended by striking from the second line of said section the word "twenty-two" and inserting in lieu thereof the word "twenty-seven".

Sec. 6. No other or additional compensation shall be paid by the state of Iowa to any of the officers herein named for services rendered to the state

JOS. MATTES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senat File No. 348, a bill for an act to repeal section two hundred twelve (212) of the Supplement to the Code, 1907, relating to the appoinment of an assistant attorney general and to his salary, and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Strike out of the fourth line in section one the words and figures "two (2) assistants" and insert in lieu thereof the words and figures "one (1) assistant"; also strike out of the fifth line of ection one the word "their" wherever it occurs and insert in lieu thereof the word "his"; also strike out of lines six and seven of section one the words and figures "three thousand six hundred dollars ($3600) each" and insert in lieu thereof the words and figures "twenty-five hundred dollars ($2500.00)"; and when so amended the bill do pass.

Chairman.
JOS. MATTES,

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate File No. 146, a bill for an act to amend section two (2), five (5) and eight (8), ten (10), twelve (12), fifteen (15) and sixteen (16) of chapter one hundred twenty-eight (128) acts of the Thirty-fourth General Assembly, relative to the duties and compensation of the state fire marshall and the deputy state fire marshal, and making an appropriation for the maintenance of the state fire marshall's office; beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 146—BY COMMITTEE ON APPROPRIATIONS.

A BILL for an Act to Amend Sections Five (5), Ten (10), Twelve (12), Fifteen (15) and Sixteen (16) of Chapter One Hundred Twenty-eight (128), Acts of the Thirty-fourth General Assembly, Relative to the Duties and Compensation of the State Fire Marshal and the Deputy State Fire Marshal, and Making an Appropriation for the Maintenance of the State Fire Marshal's Office.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section five (5), chapter one hundred twenty-eight (128), of the acts of the Thirty-fourth General Assembly be, and the same is, hereby amended by adding thereto the following: "Any chief of a fire department, mayor or township clerk who fails or refuses to make the investigation and report required of him by this section shall be deemed guilty of a misdemeanor, and shall, upon conviction, be fined in a sum not less than five dollars ($5.00) nor more than one hundred dollars ($100.00)."

Sec. 2. That section ten (10), chapter one hundred twenty-eight (128), of the acts of the Thirty-fourth General Assembly be, and the same is, hereby amended by striking out the word "and" after the comma in the eleventh line of said section and inserting in lieu thereof the word "or".

Sec. 3. That section twelve (12), chapter one hundred twenty-eight (128), of the acts of the Thirty-fourth General Assembly be, and the same is, hereby amended by striking out the words and figures "twelve thousand five hundred ($12,500)" in the tenth and eleventh lines of said section and inserting in lieu thereof the words and figures "thirteen thousand five hundred ($13,500)".

Sec. 4. That fifteen (15), chapter one hundred twenty-eight (128), of the acts of the Thirty-fourth General Assembly be, and the same is, hereby amended by striking out the words "who do not receive compensation for their services as such chiefs and mayors" in lines two and three of said section, and by inserting after the word "thereto" in the seventh line of said section the words "there shall be paid to township clerks"

Sec. 5. That section sixteen (16), chapter one hundred twenty-eight (128), of the acts of the Thirty-fourth General Assembly be, and the same is, hereby amended by striking out from lines two and three thereof the words and figures "twelve thousand five hundred ($12,500)" and inserting in lieu thereof the words and figures "thirteen thousand five hundred ($13,500)".

Sec. 6. That section twelve (12), chapter one hundred twenty-eight (128) of the acts of the Thirty-fourth General Assembly be, and the same is, hereby amended by striking out of line three thereof the words and figures "fifteen hundred ($1500.00)" and inserting in lieu thereof the words and figures "eighteen hundred ($1800.00)".

JOS. MATTES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

CONFERENCE COMMITTEE REPORT.

Senator Francis, from the conference committee on Senate File No. 295, submitted the following report:

To the President of the Senate and the Speaker of the House:

GENTLEMEN—Your conference committee on Senate File No. 295 beg leave to report that they have had the same under consideration and recommend:

1. That the word "four" as same appears in the fifth (5th) line of the original bill between the words "assistant" and "words" be stricken out, and the word "three" substituted therefor.

2. That the House amendment striking out the words and figures twenty-four hundred ($2400.00) dollars" from section 2 and substituting therefor the words and figures, "eighteen hundred ($1,800.00) dollars" be amended by substituting therefor the words and figures "two thousand and two hundred ($2200.00) dollars".

3. That said bill as amended by the House and by this report will, if this report be adopted, read as follows:

"Section 1. That the law as it apears in section 9, chapter 153, acts of the Thirty-third General Assembly, be and the same is hereby amended by inserting immediately after the word "appoint" found in line four of said section, the words "three assistant fish and game wardens who shall receive a salary of twelve hundred ($1200.00) dollars per year and".

Sec. 2. That the law as it appears in chapter 116, acts of the Thirty-fourth General Assembly be and the same is hereby amended by striking

from lines 8 and 9 of section 1 the following words and figures "sixteen hundred ($1600.00) dollars" and inserting in lieu thereof the following words and figures, "twenty-two hundred ($2200.00) dollars."

Your conference committee recommends the passage of said bill as amended by this report.

L. E. FRANCIS,
G. E. HILSINGER,
W. D. SHEEAN,
A. M. FELLOWS,
On the part of the Senate.

COL. HALGRIMS,
FRED W. JONES,
W. I. ATKINSON,
M. T. MCCULLOUGH,
On the part of the House.

Senator Francis moved the adoption of the report.

Adopted.

THIRD READING OF BILLS.

On motion of Senator Francis, Senate File No. 295, a bill for an act to amend the law as it appears in section nine (9), chapter one hundred fifty-three (153), acts of the Thirty-third General Assembly, relating to the protection of fish and game; and to amend the law as it appears in chapter one hundred sixteen (116) of the acts of the Thirty-fourth General Assembly, relating to the compensation of the fish and game warden, was taken up and considered.

Senator Francis moved that the Senate adopt and concur in the following amendments to Senate File No. 295 as recommended by the conference committee:

1. That the word "four" as the same appears in the fifth (5th) line of the original bill between the words "assistant" and "words" be stricken out and the word "three" substituted therefor.

2. That the house amendment striking out the words and figures "twenty-four hundred ($2400.00) dollars" from section 2 and substituting therefor the words and figures "eighteen hundred ($1800.00) dollars" be amended by substituting therefor the words and figures "two thousand two hundred ($2200.00) dollars".

On the question, "Shall the Senate adopt and concur in the amendments recommended by the conference committee?"

The ayes were:

Allen, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Kimball, Larrabee, Legel, Malmberg, McManus, Neal, Perkins, Ream, Robinson, Savage, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

Doran, Smith—2.

Absent or not voting:

Ames, Arney, Boe, DeWolf, Farr, Jewell, Jones, Mattes, McColl, Nye, Quigley, Schrup, White—13.

So the amendments recommended by the conference committee having received a constitutional majority were declared adopted and concurred in.

EXPLANATION OF VOTE.

I vote no because I am opposed to so many officers and such large salaries,—"can use" sheriffs, and others.

T. H. SMITH,

INTRODUCTION OF BILLS.

By Sifting committee, Senate File No. 554:

A BILL for an Act to Amend the Law as it Appears in Section Two Thousand Nine (2009) of the Code Relating to Appeals from the Action of the Commissioners in Assessing Damages where Private Property is Taken for Works of Internal Improvement.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in section two thousand nine (2009) of the Code, be and the same is hereby amended by adding thereto after the period at the end of said section the following:

"In cases where the property to be taken is for the use of the state either party shall be entitled to a change in the place of trial to the nearest district court outside of the county in which the property is located upon filing a motion for each change of venue."

Read first and second time and ordered printed in the Journal.

By Sifting committee, Senate File No. 555:

A BILL for an Act Amending Chapter Two Hundred One (201) of the Laws of the Thirty-Fourth General Assembly; Relating to Plans and Specifications and Estimates of Cost of Buildings Under the Control of the Board of Education and the Employment of an Architect and Assistants and Limiting Expenditure Therefor.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section 2, of chapter two hundred and one (201) of the laws of the Thirty-fourth General Assembly be and the same is hereby amended by inserting after the word "betterments" and before the word "provided" in the fifth line thereof the following: "and such plans and specifications, together with the said estimates of cost, shall be so submitted within thirty days from the first day of any regular session."

Sec. 2. That section 2 of chapter two hundred and one (201) of the laws of the Thirty-fourth General Assembly be and the same is hereby amended by substituting for the last sentence beginning with the words "nothing in this act" the following:

"The board of education may employ a competent architect who shall prepare plans, specifications, estimates of cost and details for the buildings, new construction, repairs and betterments of the institutions under the control of the board of education and who shall perform the duties usually performed by architects and required by the board. Such architect shall receive compensation in an amount not to exceed five thousand dollars per annum as fixed by the board and the board may expend a sum not to exceed ten thousand dollars each year for the salary of such architect, necessary expenses, advice of consulting architects and assistants. Nothing herein shall be construed to affect existing plans and specifications prepared for the board nor the performance of existing contracts with architects employed by the board.

Read first and second time and ordered printed in the Journal.

By Sifting committee, Senate File No. 556.

A BILL for an Act to Amend an Act Passed by the Thirty-fifth General Assembly and Approved on the Third Day of April, 1913, and Entitled, "A Bill for an Act to Create a State Highway Commission and to Provide for the Appointment, Term of Office, Compensation, Powers, and Duties of Such Commission, to Provide for the Removal of

the Members of Said Commission, to Create a System of County and Township Road, Bridge and Culvert Construction and Maintenance and to Prescribe the Procedure and Manner of Carrying on Such Improvements, and the Rights, Duties and Power of County, Township, and Other Officer and Employees with Reference Thereto, to Fix the Rights of Parties Contracting with Reference to Such Work, to Repeal Section Twenty-six Hundred Seventy-four-f (2674-f), Supplement to the Code, 1907, Relating to Highway Commission and to Amend Section Three (3) of Chapter Twenty-four (24) of the Acts of the Thirty-fourth General Assembly, Relating to County Road Building Fund and to Repeal all Acts and parts of Acts in Conflict With this Act."

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section four (4) of the act entitled "A bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employees with reference to such work, to repeal section twenty-six hundred seventy-four-f (2674-f), Supplement to the Code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to county road building fund and to repeal all acts and parts of acts in conflict with this act, and passed by the Thirty-fifth General Assembly and approved on the third (3rd) day of April, 1913, be and the same is hereby amended by striking from said section four (4) and the following sentence, to-wit:

"The system of road, bridge and culvert work herein provided shall apply only to highways outside of the limits of incorporated cities and towns."

And inserting in lieu thereof the following:

"The system of road construction herein provided shall apply only to highways outside of the limits of cities and towns, while the system of bridge and culvert work herein provided for shall apply to all highways throughout the county outside of the limits of cities of the first class."

Sec. 2. 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 the Des Moines Capital, newspapers published at Des Moines, Iowa.

Read first and second time and ordered printed in the Journal.

THIRD READING OF BILLS.

On motion of Senator McManus, Senate File No. 196, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-seven-a-eighty-five (2727-a85), of the supplement to the code of 1907, and to enact a substitute therefor relating to the support of the state sanatorium for the treatment of tuberculosis, was taken up, and considered.

Senator McManus moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT.

Amend line 5 of section 1 by striking out the word and figures, "section twenty-seven hundred twenty-seven-a-eighty-five (2727-a85)."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Gillette Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Ames, Crist, DeWolf, Francis, Garrett, McColl, Ream, Taylor, Webber—9.

So the House amendments having received a constitutional majority were declared concurred in.

On motion of Senator Perkins, Senate File No. 161, a bill for an act in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates authorizing the board of control of state institutions on the recommendation of the superin-

tendent to remove patients from one department to another and providing for compensation for the labor of patients amendatory to, was taken up, and considered.

Senator Perkins moved that the Senate reconsider the vote by which the Senate concurred in House amendment.

Carried.

Senator Perkins offered the following amendments to the House amendments, and moved its adoption:

I move to amend House amendment to section 5 by adding after the word "may" the words "be paid" and after the word "shall" add the word "pay," so that the last part of the House amendment as amended will read, "strike out the words 'may be paid' and insert in lieu thereof 'shall pay.'"

Adopted.

Senator Perkins moved that the Senate concur in the following House amendment as amended:

HOUSE AMENDMENT.

Amend section 3 by striking therefrom the words "as is provided by section twenty-three hundred ten-a-nineteen (2310-a19) Supplement to the Code, 1907," and substituting therefor the words, "as provided by law."

Amend by striking out the words in lines 7 and 8 in section 5, "at the discretion of" and in line 8 following the word "superintendent," strike out the word "may be paid" and insert in lieu thereof "shall pay."

On the question, "Shall the Senate concur in the House amendment as amended?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Darrah, Doran, Fellows, Gillette, Hagemann, Hilsinger, Legel, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Chase, Cowles, Crist, Crow, DeWolf, Dunnegan, Farr, Francis, Garrett, Heald, Jewell, Jones, Kimball, Larrabee, McColl, Savage, Schrup, Webber, White—19.

So the House amendments as amended having received a constitutional majority were declared concurred in.

On motion of Senator Webber, House File No. 493, a bill for an act to provide against fradulent advertising, was taken up, and considered.

The motion filed on April 12th to reconsider the vote by which the bill failed to pass the Senate prevailed.

Senator Webber 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 ayes were:

Allen, Ames, Balkema, Boe, Cowles, Crist, DeWolf, Dunnegan, Farr, Fellows, Jewell, Jones, Kimball, Mattes, McManus, Nye, Quigley, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Clinton—27.

The nays were:

Arney, Balluff, Chase, Clarkson, Darrah, Doran, Garrett, Hagemann, Hilsinger, Larrabee, Legel, Malmberg, Perkins, Ream, Wilson of Appanoose—15.

Absent or not voting:

Crow, Francis, Gillette, Heald, McColl, Neal, Sheean, Taylor—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Allen, Senate File No. 552, a bill for an act to amend the law relating to the taking of private property for works and internal improvement as the same appears in

section twenty hundred twenty-four-d (2024-d), supplement to the code, 1907, was taken up, and considered.

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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Doran, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McManus, Neal, Nye, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Cowles, Crist, Darrah, DeWolf, Dunnegan, Francis, McColl, Perkins, White—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Substitute for Senate File No. 236, a bill for an act making appropriations to the state historical society of Iowa.

Also:

Senate File No. 106, a bill for an act to amend section eighteen (18) of chapter one hundred and seventy (170) of the acts of the Thirty-third General Assembly, relative to the powers and duties of the state board of education and the finance committee of said board of education.

Also:

Senate File No. 467, a bill for an act to prohibit the removal or destruction of articles or things placed in public highways for the purpose of guarding or inclosing unsafe places therein and providing penalties for a violation thereof.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Substitute for Senate File No. 236, a bill for an act making appropriations to the state historical society of Iowa.

Also:

Senate File No. 106, a bill for an act to amend section eighteen (18) of chapter one hundred and seventy (170) of the acts of the Thirty-third General Assembly, relative to the powers and duties of the state board of education and the finance committee of said board of education.

Also:

Senate File No. 467, a bill for an act to prohibit the removal or destruction of articles or things placed in public highways for the purpose of guarding or inclosing unsafe places therein and providing penalties for a violation thereof.

Also:

House File No. 646, a bill for an act granting to cities of all classes and towns power to license and regulate plumbers; to determine the qualifications and provide for the examination thereof; to prescribe rules and regulations for the installation of plumbing and the inspection thereof and to provide for the removal of plumbing installed in violation of the manner prescribed and to impose penalties for a violation of ordinances enacted under this act and to amend section seven hundred (700) of the Supplement to the Code, 1907.

Also:

House File No. 160, a bill for an act to repeal sections one hundred ninetythree (193) and one hundred ninety-four (194) of the Code and to enact a substitute therefor providing for an increase in the number of judges in the supreme court of Iowa and providing for a division of said court into sections, and to amend section ten hundred sixty (1060) of the Supplement to the Code, 1907, in reference to the selection of the chief justice of said court.

Also:

House File No. 484, a bill for an act to amend section two thousand one hundred and sixteen (2116) of the Supplement to the Code, 1907, as amended by chapter one hundred twenty-eight (128) acts of the Thirty-third General Assembly, and to define what is reasonable passenger service on certain lines of railroads.

Also:

House File No. 633, a bill for an act to amend section twenty-four (24) chapter sixty-eight (68) of the acts of the Thirty-fourth General Assembly, relating to the payment of collateral inheritance tax.

Also:

House File No. 131, a bill for an act to amend the law as it appears in section seven hundred twenty-four (724), Suplement to the Code, 1907, and in section eight hundred ninety-four (894), Supplement to the Code, 1907, relating to the powers of cities and towns.

Also:

House File No. 490, a bill for an act to regulate the passing of automobiles or other vehicles by another traveling in the same direction.

Also:

House File No. 417, a bill for an act amending chapter one hundred fifty-seven (157) of the acts of the Thirty-fourth General Assembly relative to legalizing certain conveyances by foreign administrators and executors; regulating the proof of titles to real property and legalizing certain instruments and proceedings as against defects arising prior to 1900; legalizing certain proceedings and instruments when of record ten (10) years and regulating proof of title as affected by such defects; legalizing certain instruments executed by executors, administrators, trustees, guardians, referees and commissioners prior to 1910; declaring certain bonds and contracts for deeds void; giving certain assignments the same force and effect as a deed of conveyance; providing that pending litigation shall not be affected by the provisions of this act and giving claimants one (1) year in which to commence actions and barring their rights thereafter.

Also:

House File No. 657, a bill for an act to legalize decrees obtanied prior to January 1, 1911, where the proof of the publication of an original notice was made by the editor of the newspaper in which the original notice was published.

Also:

House File No. 291, a bill for an act to amend section five thousand and forty-a (5040-a) of the Supplement to the Code, 1907, relating to the proper observance of Decoration Day.

House File No. 20, a bill for an act to grant power to cities now or hereafter having a population of twenty-five thousand or over and organized under chapter fourteen-c (14-c), of title five (5), of the Supplement to the Code, 1907, and amendments thereto, to assume charge, custody and control of all trees and shrubbery and the planting and maintenance thereof on the public streets and to provide for the payment of the cost thereof.

Also:

House File No. 517, a bill for an act to authorize the governor to direct the attorney general to appear in certain cases, for and on behalf of the counties, cities, towns, and other municipalities and officers and contractors thereof and to employ legal assistance in such cases and providing for payment therefor.

Also:

House File No. 519, a bill for an act to amend section one hundred eighty-one (181) of the Code, relating to joint committee on retrenchment and reform.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

SENATE FILES SIGNED.

President announced that as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 236, 106 and 467.

Also:

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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:

Substitute for Senate File No. 236, a bill for an act making appropriations to the state historical society of Iowa.

Also:

Senate File No. 106, a bill for an act to amend section eighteen (18) of chapter one hundred and seventy (170) of the acts of the Thirty-third General Assembly, relative to the powers and duties of the state board of education and the finance committee of said board of education.

Also:

Senate File No. 467, a bill for an act to prohibit the removal or destruction of articles or things placed in public highways for the purpose of guarding or inclosing unsafe places therein and providing penalties for a violation thereof.

Also:

Senate File No. 448, a bill for an act for the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick for a certain tract of land.

Also:

Senate File No. 233, a bill for an act to provide for the election of delegates and alternate delegates to national conventions of political parties, for the election of party national committeemen, and delegates to county conventions, and for a preferential vote on president and vice-president of the United States (additional to chapter two-a, title six, Supplement to the Code, 1907), relating to primary elections, and for submitting to the voters of the several parties the question: "Shall the vote of the state at large or the vote of he congressional disrict control?"

Also:

Senate File No. 170, a bill for an act relating to the practice of dentistry, and to repeal sections twenty-six hundred-i, (2600-i) and twenty-six hundred-j (2600-j) of the Supplement to the Code, 1907.

Also:

Senate File No. 436, a bill for an act granting additional powers to cities organized under the commission plan of government, and amending section one (1) of chapter sixty-seven (67) laws of the Thirty-third General Assembly.

Also:

Senate File No. 398, a bill for an act amending section nine hundred twenty-two (922) of the Supplement to the Code, 1907, relating to plats by auditor, providing that no such plats shall be made for real estate situated in cities acting under special charter.

Also:

Senate File No. 540, a bill for an act to legalize a special election of the city of Cedar Falls, Iowa, held March 10, 1913, for the acquiring of a municipal electric light and power plant, and voting bonds therefor, and the resolutions and acts of the city council relating to such electric light and power plant.

Also:

Substitute for Senate File No. 40, a bill for an act relating to the loaning and depositing of public funds by city treasurers.

Also:

Senate File No. 384, a bill for an act to amend the law as it appears in sections four hundred ninety (490) of the Supplement to the Code, 1907, and four hundred ninety-one (491) of the Code, 1897, relating to the compensation of county treasurers and their deputies.

Also:

Substitute for Senate File No. 79, a bill for an act to amend the law as it appears in sections twenty-eight hundred twenty-three-a (2823-a) and twenty-eight hundred twenty-three-i (2823-i) Supplement to the Code, 1907, as amended by chapter one hundred eighty-six (186) and chapter one hundred eighty-seven (187) acts of the Thirty-third General Assembly, relative to the attendance of children of a certain age in public schools.

JOHN H. TAYLOR,
Chairman.

Passed on file.

THIRD READING OF BILLS.

On motion of Senator Allen, Senate File No. 551 a bill for an act to amend the law relating to the investment of the funds of life insurance companies and associations as the same appears in section eighteen hundred six (1806) supplement to the code, 1907, was taken up and considered.

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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Cowles, Crist, Darrah, DeWolf, Francis, Mattes, McManus, Neal, Taylor—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Sifting committee returned to the Senate, Senate File No. 403.

On motion of Senator Webber, Senate File No. 403, a bill for an act relative to payment of deposits in trust, was taken up and considered.

Senator Webber 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—45.

The nays were:

None.

Absent or not voting:

Allen, Darrah, Francis, Neal, Taylor—5.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Mattes, House File No. 564, a bill for an act making provisions for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines river improvement grant as school lands, with report of Appropriation committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Mattes moved the adoption of the following amendment:

Strike out the fourth line of section four the period (.) and insert in lieu thereof a comma (,) and then add thereto the following, "not to exceed two hundred three and 87-100 dollars ($203.87).

Adopted.

The bill was read for information.

Senator Mattes moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Spaulding, Webber, White, Wilson of Appanoose, Wilson of Clinton—44.

The nays were:

None.

Absent or not voting:

Nye, Savage, Smith, Sullivan, Taylor, Thomas—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Crist, from the Conference committee on Senate File No. 306, submitted the following report:

MR. PRESIDENT—Your committee on conference, to whom was referred Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties, providing for the appointment of a public utility commission, etc., beg leave to report that they have had said bill under consideration, and recommend that the same be amended by striking all preceding the enacting clause, and inserting in lieu thereof the following:

A BILL for an Act Relative to Public Utilities, Defining Their Rights, Powers, Remedies and Duties; Providing for their Regulation and Control; Changing the Name of the Board of Railroad Commissioners to "Public Utilities Commission"; Enlarging and Prescribing its Powers and Duties; Providing for the Appointment of Two (2) Additional Members Thereto and Changing the Method of Appointment of All its Members, as Their Terms Expire; Repealing all Inconsistent Acts and parts of Acts and Making an Appropriation for Carryout the Provisions of this Act; Also Transferring the Powers and Duties of the Executive Council Relative to the Valuation of the Property of Public Utilities for the Purpose of Taxation; Also Transferring the Powers and Duties of the Board of Railroad Commissioners as Prescribed by Law, to Said Commission; Also Repealing all Powers Heretofore Granted to Cities and Towns in Conflict With This Act and Conferring on Such Cities and Towns Certain

Additional Powers; Also Providing for Physical Valuation of Public Utilities by said Commission and Giving Said Commission Authority to Fix Rates and Regulate Extensions of Public Utilities.

Also amend said bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. This act shall be known as "The Public Utilities Commission Act" and shall apply to the public services and public utilities herein described, and to the commission hereby created and established.

Sec. 2. (1) The term "Commission," when used in this act, means the public utilities commission hereby created and established.

(2) The term "Commissioner," when used in this act, means any member of such commission.

(3) The term "Corporttion," when used in this act, includes a corporation, company, association, joint stock company or association.

(4) The term "Person," when used in this act, includes an individual, and a firm or co-partnership.

(5) The term "Public Utility," when used in this act, means and includes every corporation, municipality, company, association, joint stock comptny or association, co-partnership, individual, firm, or trustees of a voluntary association or express trust operating as a business company or holding organization, their assignees, lessees, grantees. trustees, or receivers whether created by themselves or appointed by any court whatsoever. mentioned in section eighteen (18) of this act, and that now or may hereafter be engaged in furnishing or rendering, or professing to furnish or render, to the public or for public use, for compensation or hire, any of the services or supplies described in section eighteen (18) of this act, or that now or may hereafter be formed for the purpose of acquiring, or that is or may be authorized to acquire, or that has acquired or may hereafter acquire any public utility franchise or indeterimnate permit.

(6) The term "Public Utility Corporation," when used in this act, means and includes every corporation organized or qualified and operating under or by virtue of the laws of this state that now or may hereafter be engaged in furnishing or rendering, or professing to furnish or render to the public or for public use any of the services or suppiles described in section eighteen (18) of this act; or that is now or may hereafter be formed for the purpose of acquiring or that is or may be authorized to acquire or that has acquired or may hereafter acquire any public utility franchise or indeterminate permit.

() The term "Public Utility Plant," when used in this act, means and includes the property, plant, works, system or line of any public utility as that term is used and defined in this section and section eighteen (18) of this act.

(8) The term "Common Carrier," when used in this act, includes every railroad corporation, street railway corporation, municipal corporation, express company, steamboat company, canal company, car company, sleeping-car company, dining-car company, freight company and freight-line company, dispatch company, automobile railway company, oil company, gas company, electric company, and every corporation, company, association, joint stock association or company, part-

nership person, and trustees of a voluntary association or express trust operating as a business company or holding organization, their lessees, trustees or receivers appointed by any court whatsoever, owning, operating, managing, or controlling any such agency for public use in the conveyance of persons or property or the transmission of power for hire within this state.

(9) The term "Railroad," when used in this act, means and includes every railroad or railway, usually designated "Commercial Railroad" of the class usually operated by steam power upon private right of way and subject to the provisions of chapters five (5), six (6) and seven (7), of title X, of the code and the supplement to the code, 1907, and all enactments amendatory thereof; and including all bridges, ferries, tunnels, subways, switches, spurs, tracks, equipment, grounds, stations, rights of way, wharves, and terminal facilities of every kind used, operated, controlled, leased or owned by or in connection with any such railroad.

(10) The term "Electric Railroad," when used in this act, means and includes every railroad or railway operated by electricity or motive power other than steam, constructed wholly upon private right of way or partly upon private right of way and partly upon public ways and places; and includes interurban railways subject to the provisions of chapter eighty-one (81) of the acts of the Twenty-ninth General Assembly (being chapter 4-A of title X of the supplement to the code, 1907).

(11) The term "Street Rtilway" or "Street Railroad," when used in this act, means and includes every railroad or railway by whatsoever power operated, or any extension or extensions, branch or branches thereof for public use in the conveyance of persons or property for compensation, being mainly upon, along, above or below any street, avenue, road, highway, bridge or public place in any city or town; and including all equipment, switches, spurs, tracks, right of trackage, subways, tunnels, stations, terminals, and terminal facilities of every kind used, operated or owned by or in connection with any such street railway; but the said term "Street Railway" or "Street Railroad," when used in this act, shall not include a railroad or railway constituting or used or to the extent that it constitutes or is used, as a part of a railroad or electric railroad.

(12) The term "Railroad Corporation" or "Railroad Company," when used in this act, means and includes every corporation, company, association, joint stock association or company, partnership, firm, person, and trustees as a business company or holding organization, their lessees, trustees, or receivers whether created by themselves or appointed by any court whatsoever, owning, controlling, operating or managing any railroad or any cars or other equipment used thereon or in connection therewith.

(13) The term "Electric Railroad Corporation," when used in this act, means and includes every corporation, company, association, joint stock association or company, partnership, firm, person, and trustees as a business company or holding organization, their lessees, trustees, or receivers whether created by themselves or appointed by any court

whatsoever, owning, controlling, operating, or managing any electric railroad or any cars or other equipment used thereon or in connection therewith.

(14) The term "Street Railway Corporation" or "Street Railway Company," when used in this act, means and includes every corporation, municipality, company, association, joint stock association or company, partnership, firm, person, and trustees as a business company or holding organization, their lessees, trustees, or receivers, whether created by themselves or appointed by any court whatsoever, owning, controlling, operating or managing any street railway or any cars or other equipment used thereon or in connection therewith.

(15) The term "Automobile Railway," when used in this act, means and includes every railroad or railway not confined to any track, operating upon the public streets, highways and places within the state for public use in the conveyance of persons or property for compensation.

(16) The term "Gas Plant," when used in this act, means and includes all real estate, fixtures and personal property operated, owned, controlled, used or to be used for or in connection with or to facilitate the manufacture, distribution, sale or furnishing for compensation of gas (natural or manufactured) for light, heat, or power; and any or all conduits, ducts, pipes, holders, or other devices, materials, apparatus or property for containing, storing, carrying or distributing gas for light, heat or power.

(17) The term "Gas Company" or "Gas Corporation," when used in this act, means and includes every corporation, municipality, company, association, joint stock association or company, firm, partnership, person, and trustees as a business company or holding organization, their lessees, trustees, or receivers whether created by themselves or appointed by any court whatsoever, owning, controlling, operating or managing any gas plant, except where gas is made or produced and distributed by the maker on or through private property and solely for its own use or his tenants and not for sale to others.

(18) The term "Electric Plant," when used in this act, means and includes all real estate, fixtures and personal property operated, owned, controlled, used or to be used for or in connection with or to facilitate the generation, transmission, distribution, sale or furnishing for compensation of electricity for light, heat or power; and any and all conduits and ducts or other devices, materials, apparatus, or property for containing, holding or carrying conductors used or to be used for the transmission of electricity for light, heat or power.

(19) The term "Electrical Corporation," when used in this act, includes every corporation, municipality, company, association, joint stock association or company, firm, partnership, person, and trustees as a business company or holding organzation, their lessees, trustees or receivers whether created by themselves or appointed by any court whatsoever (other than a railroad, electric railroad or street railway corpoation geneating electicity solely for railroad, electric railroad or street railway purposes or for the use of its tenants and not for sale to others) owning, operating, managing or controlling any electric plant

except where electricity is generated or distributed by the producer solely on or through private property for its own use or the use of its tenants and not for sale to others.

(20) The term "Express Corporation" or "Express Company," when used in this act, means and includes every corporation, company, association, joint stock association or company, firm, partnership, person, and trustees as a business company or holding organization, their lessees, trustees or receivers whether created by themselves or appointed by any court whatsoever, engaged in or transacting the business of transporting for compensation any freight, merchandise, or other property on the line of any common carrier within this state.

(21) The term "Pipe Line," when used in this act, means and includes all real estate, easements, fixtures, and personal property owned, controlled, operated or managed for or in connection with or to facilitate the transmission, distribution or delivery of crude oil or gas through pipe lines.

(22) The term "Pipe Line Company" or "Pipe Line Corporation," when used in this act, means and includes every corporation, company, association, joint stock association or company, firm, partnership, person, and trustees as a business company or holding organization, their lessees, trustees or receiver, whether created oy themselves or appointed by any court whatsoever, owning, controlling, operating or managing any pipe line for compensation within this state.

(23) The term "Telephone Line," when used in this act means and includes all conduits, ducts, poles, wires, cables, crossarms, receivers, transmitters, instruments, machines, appliances and all devices, real estate, easements, apparatus, property and routes used, operated, owned or controlled by any telephone corporation for or in connection with or to facilitate the business of affording for compensation telephonic communication, and whether such communication be afforded with or without the use of transmission wires.

(24) The term "Telephone Corporation" or "Telephone Company" when used in this act, means and includes every corporation, municipality, company, association, joint stock association or company, partnership, firm, person, and trustees as a business company or holding organization, their lessees, trustees or receivers, whether created by themselves or appointed by any court whatsoever, owning, operating, controlling or managing any telephone line or part of a telephone line used in the conduct of the business of affording telephonic commuication for hire.

(25) The term "Telegraph Line," when used in this act, means and includes all conduits, ducts, poles, wires, cables, crossarms, instruments, machines, appliances and all devices, real estate, easements, apparatus, property and routes used, operated, owned or controlled by any telegraph corporation in connection with or to facilitate the business of affording for compensation communication by telegraph, whether such communication be afforded with or without the use of transmission wires.

(26) The term "Telegraph Corporation" or "Telegraph Company," when used in this act, means and includes every corporation, municipality, company, association, joint stock association or company, partnership, firm, person and trustees as a business company or holding organization, their lessees, trustees or receivers, whether created by themselves or appointed by any court whatsoever, owning, operating, controlling or managing any telegraph line or part of a telegraph line used in the conduct of the business of affording for hire communication by telegraph.

(27) The term "Water Plant," "Water Power Plant," "Water System," and "Water Works," when used in this act, means and includes all reservoirs, tunnels, shafts, dams, dikes, head-gates, pipes, conduits, flumes, canals structures, and appliances, real estate, easements, apparatus, property and routes used, operated, owned, controlled, or managed in connection with or to facilitate the business of storing, furnishing, distributing, or supplying for compensation, water for power, or generation of electricity, or manufacturing, or for municipal, domestic or other beneficial use.

(28) The term "Water Corporation," or "Water Company," when used in this act, means and includes every corporation, municipality, company, association, joint stock association or company, partnership, firm, person, trustees or receivers whether created by themselves or appointed by any court whatsoever, owning, operating, controlling or managing any water plant, water power plant, water system or water works within this state.

(29) The term "heat or refrigerating company," when used in this act, means and includes every corporation, municipality, company, association, joint stock association or company, partnership, firm, person, and trustees as a business company or holding organization, their lessees, trustees or receiver whether created by themselves or appointed by any court whatsoever, owning, operating, controlling or managing any plant or property for manufacturing and distributing for hire, hot or cold water, steam or currents of hot or cold air for motive power, heating, cooking, refrigerating, or for any public use or service in any muncipality.

(30) The term "vessel," when used in this act means and includes every species of water craft by whatsoever power operated which is owned, controlled, operated or managed for public use in the transportation of persons or property for hire over and upon the waters within this state.

(31) The term "steamboat company" or "steamboat corporation," when used in this act, includes every corporation, company, association, joint stock association or company, trustees as a business company or holding organization, their lessees, trustees or receivers whether created by themselves or appointed by any court whatsoever, owning, controlling, leasing, operating or managing any vessel over and upon the waters of this state.

(32) The term "wharfinger," when used in this act, means and includes every corporation, municipality, company, association, joint stock association or company, firm, partnership, person, and trustee

as a business company or holding organization, their lessees, trustees, or receivers, whether created by themselves or appointed by any court whatsoever, owning, controlling, operating or managing any dock, wharf, or structure for public use and for hire by vessels for or in connection with or to facilitate the receipt or discharge of freight or passengers within this state.

(33) The term "warehouseman," when used in this act, means and includes every corporation, municipality, company, association, joint stock association or company, firm, partnership, person, and trustees as a business company or holding organization, their lessees, trustees, or receivers, whether created by themselves or appointed by any court whatsoever, owning, controlling, operating or managing any warehouse for compensation within this state.

(34) The term "warehouse," when used in this act, means and includes every warehouse, elevator, cold storage building, and other structure in which property is regularly stored for preservation, or in connection with or to facilitate the transportation of property by a common carrier, or the loading or unloading of the same, other than a dock, wharf, or structure owned, operated, controlled, or managed by a wharfinger.

(35) The term "transportation of property," when used in this act, includes all services and facilities in connection with the receipt, delivery, elevation, transfer in transsit, ventilation, refrigeration, icing, storing, and handling of property transported.

(36) The term "transporation of persons," when used in this act, includes all services and facilities in connection with the receipt and transportation of persons and their baggage transported.

(37) The term "line," when used in this act, includes route.

(38) The term municipality" or "municipal corporation," when used in this act, means and includes any city or town incorporated under or pursuant to any general or special law of this state.

(39) The term "interstate commerce act," when used in this act, means the act of the congress of the United States, approved February 4th, A. D. 1887, entitled "An act to regulate commerce," and all acts amendatory thereof.

(40) The term "Interstate Commerce Commission," when used in this act, means the commission created by the interstate commerce act.

(41) The term "indeterminate permit," as used in this act, means and includes every grant from the state, directly or through any of its political or governmentaal subdivisions, to any corporation, company, association, joint stock association or company, partnership, firm, person, and trustees as a business company or holding organization, their lessees, trustees, or receivers, whether created by themselves or appointed by any court whatsoever, of power, right or privilege to construct, operate, own, maintain, manage or control any railroad, electric railroad, street railway, automobile railway, express line or service, gas plant, water works or water system, electric plant, pipe line or service, telephone line, telegraph line, water plant, water

power plant, heat or refrigerating plant, steamboat line, dock, wharf, warehouse, or any other public utility plant as that term is used or defined in this or any other act, which power, right or provilege shall continue in force until purchase by any municipality or its grantee, or until terminated by receiver's sale of the utility plant, as provided in this act, or until otherwise terminated according to law.

Sec. 3. The name of the board of railroad commissioners as now constituted under the provisions of section two thousand one hundred eleven (2111), title X, of the code, is hereby changed to "Public Utilities Commission."

Sec. 4. The number of commissioners shall be increased by the addition of two (2) commissioners who shall be appointed by the governor as soon as this act becomes a law, and who shall hold office until July 1, 1919, and until their successors are appointed and qualified, who shall not be members of the same political party; the terms of the present members of the board of railroad commissioners which expire December 31, 1914, are hereby extended to July 1, 1915, and the term of the present member of the board of railroad commissioners, which expires December 31, 1916, is hereby extended to July 1, 1917.

Sec. 5. Within thirty (30) days after the legislature of the state of Iowa, shall have convened in the year, 1915, the governor shall appoint two (2) members of the commission who are not members of the same political party, whose terms of service shall commence July 1, 1915, and continue for six years, and until their successors are appointed and qualified as provided in this act.

Sec. 6. Within thirty (30) days after the legislature of the state of Iowa shall have convened in the year 1917, the governor shall appoint one member of the commission whose term of service shall commence July 1st, next after his appointment, and whose term of service shall be six (6) years and until his successor is appointed and qualified, and biennially thereafter as the terms of said commissioners shall expire, the governor shall appoint their successors for terms of six (6) years each and until their suncessors are appointed and qualified. All appointments of commissioners provided for by this act shall be submitted to the Senate and House of Representatives and approved by not less than two-thirds (2-3) of the members of the Senate and House of Representatives in joint executive session, but no appointment so submitted shall be considered by said joint session until the same has been made public for a period of ten (10) days, excepting the appointments made during the Thirty-fifth General Assembly, which shall be considered immediately upon their submission. Should a vacancy occur in the commission while the legislature is in session, the governor shall, as soon as the vacancy occurs, appoint some person to fill the vacancy. Should a vacancy occur by death, or otherwise, when the legislature is not in session, the governor shall have power to fill the vacancy, until the next regular or called session of the General Assembly.

Sec. 7. Each commissioner shall be a resident of the state of Iowa and a qualified elector therein and shall have resided in said state

for a period of at least five (5) years next preceding his appointment and qualification, and after July 1, 1915, no more than three (3) of said commissioners shall belong to the same political party.

No commissioner or any person holding office under or employed by the cmmission shall hold any other office under the government of the United States or of this state, nor shall he engage in any occupation or business inconsistent with his duties as such commissioner, officer, or employe, or serve on or under any committee of any political party, but shall devote his entire time to the duties of his office; nor shall he be in the employ of, or be pecuniarily interested in any public utility or of any person or corporation owning or controlling a public utility or contracting exclusively with public utilities or selling exclusively to public utilities; nor shall he personally or through an assoiate render any professional services for or against or make or perform any business contract with or for any public utility or any person or corporation owning or controlling a public utility, except in the discharge of his duties as such commissioner in the regular course of public service; nor shall he receive any gift, discrimination in service or favor of any kind from any public utility or officer thereof. Nothing herein provided shall prevent the commission from making a contract with a person for temporary services, and as to such temporary services this section shall have no application. No person shall serve as such commissioner who has served as an officer, agent or attorney of any such utility within one year preceding his appointment.

Sec. 8. The governor may at any time remove from office any commissioner for inefficiency, neglect of duty or malfeasance in office, or who shall become disqualified by reason of any of the provisions of section seven (7) of this act. Before such removal, he shall give such commissioner a copy of the charges against him, and shall fix the time when he can be heard in his own defense, which shall not be less than ten (10) days thereafter, and said hearing shall be open to the public. If he shall be removed, the governor shall file in the office of the secretary of state, a complete statement of all charges made against such commissioner, and his findings thereon, with the records of the proceedings.

Sec. 9. Each commissioner and each person holding office under or employed by the commission, before entering upon the performance of his duties, shall take and subscribe to the constitutional oath of office.

Each person holding office under or employed by the commission, shall, in the discretion of the commission, give bond for the faithful performance of his duties.

The oath of office of the commissioners shall be filed in the office of the secretary of state; and the oath of office of every person appointed to office by or under the commission shall be filed in the office of the commission as a part of its records.

Sec. 10. The salaries of the commissioners from and after July 1, 1913, shall be the sum of three thousand dollars per annum, payable in monthly installments out of any funds in the state treasury, not otherwise appropriated.

Sec. 11. The commission shall appoint a secretary to hold office during its pleasure, who shall perform the services required of him by the provisions of this act.

The commission shall also have power to employ during its pleasure, such officers, clerks, inspectors, experts and employes, as may be necessary to carry out the provisions of this act, or to perform the duties and exercise the powers conferred by law upon the commission, provided, however, that the number of such employes and their compensation shall be fixed by the commission upon approval of the executive council.

Sec. 12. The principal office of the commission shall be at the state capitol. Suitable rooms shall be provided for it and supplied with all necessary books, maps, charts, stationery, office furniture, telephone and telegraph connections, and all other necessary appliances.

For the purpose of holding meetings in other places than at the principal office, as hereinafter provided, the commission shall have power and authority to rent quarters or offices.

The commission may procure all necessary books, maps, charts, stationery, instruments, furniture and appliances not otherwise furnished by the state.

The principal office of the commission shall be open for business between the hours of 8 o'clock in the morning and 5 o'clock in the afternoon of every day in the year—Sundays and legal holidays excepted; and one or more responsible persons, to be designated by the commission or by the secretary under the direction of the commission, shall be on duty at all times and in immediate charge thereof during said hours.

Sec. 13. The commission shall have a seal bearing the following inscription: "Public Utilities Commission, State of Iowa," and the secretary shall be the legal custodian thereof.

The seal shall be affixed to all writs issued by or in the name of the commission, to all authentications of copies of records of the commission, and to such other instruments as the commission shall direct.

All courts shall take judicial notice of said seal; and all instruments authenticated under the seal of the commission shall be receivable in evidence in all courts without the production of the originals thereof.

Sec. 14. A majority of the commissioners shall constitute a quorum for the transaction of any business, for the performance of any duty, and for the exercise of any power of the commission.

No vacancy in the office of any commissioner shall impair the right of the remaining commissioners to perform all of the duties and exercise all of the powers of the commission.

The commission shall hold stated meetings at least once a month throughout the year at its principal office, and may also hold meetings of the commission at such other times and places within the state as it may deem necessary or expedient for the proper performance of its duties or the exercise of its powers.

Any investigation, inquiry or hearing which the commission may have power to undertake or hold may be undertaken or held by or before any commissioner; and all investigations, inquiries and hearings of a commissioner shall be and be deemed to be the investigations, inquiries and hearings of the commission, and every finding, order or decision made by a commissioner, when approved and confirmed by the commission and ordered filed in its office, shall be and be deemed to be the finding, order or decision of the commission.

Sec. 15. It shall be the duty of the secretary to keep a full and true record of all proceedings of the commission and of all orders made by the commission and of all orders made by a commissioner and approved and confirmed by the commission and ordered filed, and shall preserve all books, maps, documents and papers ordered filed by the commission; and he shall be responsible to the commission for the safe custody and preservation of all such documents and the seal of the commission at its office.

Under the direction of the commission the secretary shall have general charge of its office, superintend its clerical business and perform such other duties as the commission may order or prescribe. He shall have power and authority to administer oaths in all parts of the state, so far as the exercise of such power is properly incidental to the performance of his duties.

The secretary shall designate from time to time one of the clerks appointed by the commission to perform the duties of secretary during his absence and during such time the clerk so designated shall at the office possess the powers of the secretary of the commission.

Sec. 16. It shall be the duty of the commerce counsel to represent and appear for the people of the State of Iowa, and the commission, in all actions involving any question under this act, or within the jurisdiction of the commission under this act or under the laws of the state, or under or in reference to any act or order of the commission, and, if directed so to do by the commission, or upon his own initiative, to intervene if possible in any action or proceeding in which any such question is involved; to commence and prosecute all actions and proceedings directed or authorized by the commission or required or authorized by law, and to expedite in every way possible final determination of all such actions and proceedings; to advise the commission and each commissioner, when so requested, in regard to all matters in connection with the powers and duties of the commission and each member thereof; and generally to perform all duties and services as such commerce counsel, which the commission may reasonably require of him, or which may be necessary under this act, provided, however, that in all proceeding brought hereunder by a municipality, such municipality may prosecute the same by its attorneys.

Sec. 17. Any member, officer, or employe of the commission who solicits or otherwise uses his influence, directly or indirectly, to induce other members, officers or employes of the state or commission to adopt his political views, or to favor any particular person or can-

didate for office, shall be subject to removal by the proper authorities.

Any person who demands or solicits from any member, officer, or employe of the commission any appropriation or money or other thing of value for election purposes, or for the payment of expenses of any political committee or organization, shall be deemed to be guilty of a misdemeanor, and shall be punished accordingly.

Sec. 18. (1) The public utility commission created and established by this act shall, in addition to the powers conferred on the present board of railroad commissioners, have general supervision and regulation of, and jurisdiction and control over, the following services and supplies when rendered or furnished for public use, and all public utilities rendering or furnishing, or professing to render or furnish either directly or indirectly any such service or supply, so far as may be necessary for the purpose of carrying out the provisions of this or any other act.

(a) The transportation or carriage of persons or property or both, between points within this state by railroads, electric railroads or railways, street railways, automobile railways, or vessels; including express service and car service carried on, upon, or rendered in connection with such railroads, railways, electric railroads or railways, street railways or vessel, and including the operation of all conveniences, appliances, instrumentalities or equipment utilized in connection therewith or appertaining thereto.

(b) The transmission of intelligence for hire within this state by electricity by means of telephone lines or telegraph lines or any other method or system of communication, whether with or without the use of transmission wires, and including the operation of all conveniences, appliances, instrumentalities or equipment utilized in connection therewith or appertaining thereto.

(c) The production, utilization, sale, transmission for sale or distribution, or distribution of gas, electricity, oil, water, steam, air, or energy for light, heat fuel power or refrigeration, within this state, including the operation of all plants, systems, conveniences, appliances, instrumentalities, facilities or equipment utilized in connection therewith or appeartaining thereto.

And more specifically, the commission shall, for the purpose of this or any other act, have general supervision and regulation of, and jurisdiction and control over—

(d) every railroad, electric railroad, street railway, automobile railway, gas plant, electric plant, pipe line, telephone line, telegraph line, water or water power plant, heat or refrigeration plant, toll bridge, vessel, dock, wharf and warehouse, in whole or in part in this state, as those terms are used and defined in this act; and

(e) every common carrier, railroad corporation, electric railroad corporation, street railway corporation, automobile railway corporation, gas corporation, electrical corporation, express corporation, pipe line corporation, telephone corporation, telegraph corporation, water or waterpower corporation, heat or refrigerating company, steamboat company, toll bridge company, wharfinger and warehouseman,

as those terms are used and defined in this act, owning, controlling, operating or managing any of the utilities, in whole or in part, mentioned in the foregoing paragraph (d) of this section.

(f) All corporations, municipalities, companies, associations, joint stock associations or companies, firms, partnerships, person, trustees, lessees, and receivers subject to the provisions of this act.

(2) Trustees of a voluntary association, or express trust, under a written instrument or declaration of trust, the beneficial interest under which, is divided into transferable certificates of participartion or shares; and any corporation or person owning or holding a majority of the stock of any public utility shall be subject to the supervision of the commission in respect of the relations between such public utility and such owners or holders of a majority of the stock thereof, in sofar as such relations arise from or by reason of such ownership or holding of stock thereof or the receipt or holding of any money or property thereof, or from or by reason of any contract between them; and in respect to such relations shall in like manner and to the same extent as such public utility be subject to examination of accounts, records and memoranda, and shall furnish such reports and information as the commission shall from time to time direct and require, and shall be subject to like penalties for default therein. Any co-partnership, express trust, association, company, joint stock company or association, or corporation, under the same ownership, control or management as any public utility shall be subject to the supervision of the commission in respect to the relations between such public utility and such co-partnership, express trust, association, company, joint stock company or association, or corporation, and in like manner and to the same extent as such public utility shall be subject to examination of books, accounts, records and memoranda, and shall furnish such reports and information as the commission shall from time to time direct and require, and shall be subject to like penalties for default therein.

(3) Municipal corporations, boards or commissions, rendering or furnishing to the public or for public use for compensation or hire, any of the services or supplies described in this section shall be subject as a public utility hereunder to the jurisdiction of the commission as in this act provided, and shall be liable as a public utility hereunder for any violation of any of the provisions of this act relating thereto.

(4) Corporations formed to acquire property or transact business which would be subject to the provisions of this act; and corporations or persons possessing franchises for any of the purposes contemplated by this act; and corporations that now or may hereafter be formed for the purpose of acquiring, or that are or may be authorized to acquire, or that have acquired or may hereafter acquire any public utility franchise shall be and shall be deemed subject to the provisions of this act, although no property may have been acquired, business transacted, or franchises exercised.

Sec. 19. (1) The jurisdiction of the commission established by this act shall not extend to rural mutual telephone companies whose operating expenses are liquidated by assessment upon their members or stock holders, except as to physical connections, joint service, joint rates and valuation for taxation.

(2) Excepting the provisions as to uniform accounts and annual report, the jurisdiction of the commission established by this act shall not extend to or include municipalities or public utility plants owned or operated by a municipality until such time as such municipality shall have elected to come under the provisions of this act, and which election may be manifested as follows, to-wit:

(a) By filing with the commission a duly authenticated copy of an ordinance adopted by the city or town council or other governing body, electing to so come within the provisions of this act;

(b) By a majority vote of its qualified electors at a general or special election at which such question shall have been submitted and the council may submit the question to the voters upon its own motion, or upon the filing of a petition signed by ten per cent of the voters of such municipality asking for the same, the council shall submit the question to the voters. The general provisions of law as to municipal elections shall be held to apply to such elections so far as the same are applicable.

No municipality shall be held to have been invested with any of the additional powers conferred by this act, either as to municipal acquisition or operation of public utility plants, or as to the increase of indebtedness herein authorized for the purpose of purchasing or constructing such plants, until such time as such municipality shall have voluntarily come within the provisions of this act in one of the methods in this section provided.

Sec. 20. The powers and duties conferred and imposed upon the board of railroad commissioners by any statute of this state, in force upon and after the taking effect of this act, are hereby conferred and imposed upon the commission.

Wherever the term "board of railroad commissioners" or any abbreviated term in place thereof occurs in any law, regulation, contract or document, or whenever in any law, regulation, contract or document reference is made to such board, such term or reference shall, after the passage of this act, be deemed to refer to and include the commissioners and commission as created and established by this act; and in so far a any law, regulation, contract or document, pertaining to matter which are by this act placed within the jurisdiction of the commission, said law, regulation, contract or document in which reference is made to the board of railroad commissioners of this state shall be deemed to refer to and include the commission as created and established by this act.

Sec. 21. Any investigation, examination, proceeding or appeal, undertaken, commenced or instituted by or before the board of railroad commissioners prior to the taking effect of this act may be conducted and continued to final termination by the commission in

the same maner, under the same terms and conditions and with the same effect as if no change had been made in such board; and no order or ruling heretofore made by said board and then in force shall be invalidated by the taking effect of this act.

This act shall not affect pending actions or proceedings brought by or against the said board of railroad commissioners, but the same may be prosecuted or defended in the name of the commission.

Sec. 22. Every public utility is required to furnish and provide reasonably adequate service and facilities.

Sec. 23. All charges made or demanded by any public utility for any service rendered or any supply furnished to the public or for public use, as defined in section eighteen (18) of this act, shall be just and reasonable.

Every unjust or unreasonable charge made or demanded by any public utility or demanded from or of any person or corporation is hereby prohibited.

Sec. 24. Every public utility, upon the proper application of any person or corporation desirous of receiving the service or supply which such public utility is engaged in rendering or furnishing, or professing to render or furnish to the public or for public use, together with a sufficient tender for the lawful charges made therefor, shall, under such reasonable regulations as the commission may prescribe, thereupon impartially, without discrimination for the same class of service or supply, perform the service or furnish the supply applied for.

Sec. 25. (1) No public utility shall, directly or indirectly, or by any special rate, rebate, drawback, or other device or method, charge, demand, collect, or receive from any person or corporation a greater or less compensation for any services rendered or to be rendered or supply furnished or to be furnished, except as authorized by this act, than it charges, demands, collects or receives from any other person or corporation for rendering or funishing a like and contempoaneous service or supply under the same or substantially similar circumstances and conditions.

(2) No public utility shall directly or indirectly make or give any preference or advantage to or in favor of any person, corporation or locality, or to any particular description of traffic or service in any respect whatever, or subject any person, corporation or locality or any particular description of traffic, service or supply to any prejudice or disadvantage in any respect whatsoever.

(3) No public utility shall charge, demand, exact, receive or collect a rate, joint rate, fare, rental, toll, or charge for any service or supply rendered or furnished by it or to be by it rendered or furnished different from that applicable to such service or supply as specified in its schedule filed with the commission under the provisions of this act and in effect at the time; nor, except as authorized by this act, shall any public utility refund or remit, directly or indirectly, any rate, joint rate, fare, rental, toll or charge so specified, or any part thereof, nor extend to any person, corporation or local-

ity any rule, regulation, privilege or facility, except such as are regularly and uniformly extended to all persons, corporations and localities under the same or substantially similar circumstances and conditions for the same or substantially similar service or supply.

(4) No person or corporation, or any officer, agent or employe of a corporation shall knowingly, directly or indirectly, by any false statement or false representation as to cost or value, or by false billing, false or incorrect classification, false weight or false weighing, or false report of weighing, false representation of the contents of a package, or by any other device or means, obtain or attempt to obtain transportation by a common carrier for persons or property at less rates than those established and enforced therefor as by this act provided, or obtain or attempt to obtain any allowance, rebate or payment for damage in connection with or growing out of the transportation of persons or property, whether with or without the consent or connivance of the common carrier or any of its officers, agents or employes; nor shall any common carrier, or any officer, agent or employe thereof, knowingly permit or consent to any such reduced rate of transportation, or pay or offer to pay any such allowance, rebate or claim for damage.

Any person or corporation violating any of the provisions of this section shall on conviction thereof, be punished by a fine of not less than $50.00 nor more than $1,000.00 for each offense.

Sec. 26. No common carrier shall directly or indirectly issue, give or tender any free service, free ticket, free pass, or free transportation for persons or property between points within this state, excepting to or for such persons or property as is or may be hereafter designated by law;

Provided, however, that nothing in this section contained shall be construed to prohibit:

The carriage free or at reduced rates of any person or property as is or may be provided by law;

The interchange of free or reduced transportation between common carriers including telephone and telegraph companies of or for their officers, agents, employes, attorneys, physicians and surgeons as is or may be provided by law;

The free transportation of persons or property with the object of providing relief in cases of general epidemic, pestilence or other calamitous visitation;

The free transportation of persons and property as incident to or in connection with contracts for construction, operation or maintenance, but to the extent only that such free transportation is provided for in the contract for such work. Nothing in this act shall be construed as modifying or changing in any manner whatsoever, the present statutes relative to the giving of free transportation by railroads.

(2) No public utility other than a common carrier shall, except as herein provided, render or furnish any service or supply free or at reduced rates, except to such hospitals and eleemosynary institutions as the commission may under proper rules provide.

Sec. 27. The commission shall prescribe a uniform system of accounts to be kept by public utilities, or may classify public utilities and establish and prescribe a system of accounts for each class; and prescribe the manner in which such accounts shall be kept.

It may also in its discretion prescribe the forms of accounts, books, records and memoranda to be kept by public utilities; and may prescribe the accounts in which particular outlays and receipts shall be entered, charged or credited.

The system of accounts established and the forms of accounts, books, records and memoranda prescribed by the commission shall conform as nearly as may be to the systems of accounts and forms of accounts, records and memoranda from time to time established and prescribed by the interstate commerce commission, or other federal authority for like public utilities; but the commission may in its discretion prescribe forms of accounts, records and memoranda covering information in addition to that required by the interstate commerce commission or federal authority.

Notice of alterations by the commission in the required method or form of keeping a system of accounts shall be given to the public utilities affected thereby by the commission at least six months before the same are to take effect.

The commission shall cause to be prepared suitable blanks for carrying out the purposes of this act; and shall when by it deemed necessary, furnish such blanks to each public utility.

Sec. 28. Every public utility or class of public utilities shall carry, in the manner and subject to the conditions prescribed by the commission, a proper and adequate depreciation or deferred maintenance account, whenever the commission after investigation shall determine that a depreciation account can be reasonably required of such utility or class of utilities.

The commission may ascertain and determine and by order approve and prescribe what are proper and adequate charges for depreciation of the several classes of property for each public utility or class of public utilities, and may from time to time prescribe such changes in such charges as it may find necessary for such utility or class.

Each public utility shall conform its depreciation account to such charges so ascertained and determined by the commission.

The commission shall provide for such depreciation charges in fixing the rates, tolls and charges to be paid by the public.

Sec. 29. The commission or a commissioner or any officer, agent or employe of the commission duly authorized by it, shall at all times have access to and may examine all accounts, books, records and memoranda kept by any public utility, and examine under oath any officer, agent or employe of any such public utility in relation thereto or to its business; and shall have power by subpoenae duces tecum to compel the production thereof, or to compel the attendance of such witnesses as may be required to give evidence at such examination.

The commission may provide for an annual audit by employes or agents duly authorized by it, of all accounts of any public utility or

class of public utilities when it deems such action advisable; and all items shall be allocated to the accounts in the manner prescribed by the commission.

Whenever required by the commission, every public utility shall deliver to the commission duly certified copies of any and all maps, profiles, contracts, agreements, franchises, reports, books, accounts, records and papers in its possesion in any way relating to its business, and also a complete inventory of all its property, in such form as the commission shall reasonably require.

No information furnished to the commission by a public utility, except such matters as are by the provisions of this act specifically required to be open to public inspection, shall be open to public inspection or made public except on the order of the commission or as may be required by the commission or a commissioner in the course of a public hearing or proceeding under this act.

Any officer, employe or agent of the commission or a commissioner who divulges any fact or information which may have come to his knowledge during the course of any examination, investigation or audit under this section, except in so far as he may be directed by the commission or by any court of competent jurisdiction, shall upon conviction thereof be fined not more than one thousand dollars or imprisoned in a county jail for not more than six months or both.

Sec. 30. Every common carrier shall file with the commission and shall print and keep open to public inspection, schedules showing the rates, fares, charges and classifications for the transportation of passengers and property within the state from each point upon its route to all other points thereon, and from each point upon its route to all points upon every route leased, operated or controlled by it; and from each point upon its route or upon any route leased, operated or controlled by it to all points upon the route of any other common carrier, whenever a thrugh route and joint rate shall have been established or ordered between any two such points. If no joint rate over a through route has been established, the several carriers in such through route shall file, print and keep open to public inspection the separately established rates, fares, charges and classifications applicable to the through transportation.

The schedules, printed as aforesaid, shall plainly state the places between which property and persons will be carried; and shall also contain the classification or classifications of passangers or property; and shall also state separately all terminal charges, storage charges, icing charges, and all other charges which the commission may require to be stated, all privileges or facilities granted or allowed and any and all rules and regulations which may in anywise change, affect or determine any part or the aggregate of, such rates, fares and charges, or the value of the service rendered to the passenger, shippr or consignee.

Such schedules shall be plainly printed in large type, and a copy thereof shall be kept by every such carrier, readily accessible to and for inspection by the public in every station or office of such carrier

where passengers and property are respectively receipted for transportation, when such station or office is in charge of any agent; and in every station or office of such carrier where passenger tickets for transportation or tickets covering sleeping or parlor car or other train accommodations are sold, or bills of lading or receipts for property are issued.

Any and all such schedules, kept as aforesaid, shall be produced by such carrier for inspection upon the demand of any person. A notice printed in bold type and stating that such schedules are on file with the agent and open to inspection by any person and that the agent will assist any such person to determine from such schedules any transportation rates or fares, or rules or regulations which are in force, shall be kept posted by the carrier in at least two public and conspicuous places in every station or office.

The form of every such schedule shall be prescribed by the commission, and in the case of common carriers subject to the provisions of the interstate commerce act shall conform as nearly as may be to the forms of schedules prescribed by the interstate commission.

(2) under such rules and regulations as the commission shall prescribe, every public utility, other than a common carrier, shall file with the commission, within such time and in such form as the commission may designate and prescribe, and shall plainly print and keep open to public inspection, schedules showing all rates, tolls, rentals, charges and classifications made, collected or enforced, or to be made, collected or enforced, for any service or supply by it rendered or furnished or to be rendered or furnished, within this state, together with all rules, regulations, conditions and limitations, facilities, privileges and forms of contracts or agreements in any manner affecting or relating to such rates, tolls, rentals, charges, classifications, service and supply.

(3) The commission shall have power from time to time in its discretion to determine and prescribe by order, such changes in the forms of schedules to be filed under the provisions of this section, as may be found expedient or desirable, and to modify the requirements of any of its orders, rules or regulations with respect to any of the matters in this section mentioned, either in particular instances or by general rule or order applicable to general or to special or peculiar circumstances or conditions.

(4) Unless the commission shall otherwise order, no change shall be made in any rate, joint rate, fare, rental, toll, charge, classification, privilege or facility, or in any rule or regulation or form of contract or agreement affecting the same, shown in any schedule filed in accordance with this section, except after thirty (30) days' notice to the commission, which notice shall plainly state the changes proposed to be amed in the schedule or schedules then in force and the time when such change or changes will go into effect:

Provided, however, that any public utility desiring to increase any rate, joint rate, fare, rental, toll or charge now or hereafter in force, shall make application to the commission, in which application shall

be set out the old rate, joint rate, fare, rental, toll or charge, and the proposed rate, joint rate, fare, rental, toll or charge, together with the reasons upon which such proposed increase is asked, and thereupon the commission shall fix a time for hearing and shall give notice of such hearing, and at such hearing the commerce counsel shall appear for the people and against the said increase, and the commission shall determine upon such hearing in the manner as provided in section thirty-seven (37) of this act, whether or not the said proposed rate, joint rate, fare, rental, toll or charge or any part thereof shall become effective; but no raise in any rate, joint rate, fare, rental, toll or charge shall become effective without the approval of the commission.

Notice of such change or changes shall also be given to the public in such manner as the commission, after receipt of notice to it hereunder shall direct.

The commission for good cause shown may, by order, allow changes without requiring the notice to it or previous notice to the public, under such conditions as it shall prescribe and may suspend the taking effect of such changes under the circumstances and in the manner hereinafter provided.

At the time when any changes hereunder take effect, they shall be plainly indicated upon existing schedules or new schedules shall be printed and filed as the commission may order.

Sec. 31. The names of the several public utilities which are parties to any joint tariff, rate, fare, toll, charge, contract or classification, shall be specified in the schedule or schedules showing the same. Unless otherwise ordered by the commission, any schedule showing such joint tariff, rate, fare, toll, charge, contract or classification need be filed with the commission by only one of the parties thereto; provided the other party or each of the other parties thereto shall file with the commission such evidence of concurrence therein or acceptance thereof as may be required or approved by the commission.

Every common carrier shall file with the commission duly certified copies of every contract, agreement, lease or arrangement with any other common carrier or common caries in any wise relating to the transportation of persons or property.

Sec. 32. (1) Nothing in this act shall be taken to prohibit any corporation or person engaged in the production, generation, transmission or furnishing of heat, light, water or power, or telephone service, from establishing a sliding scale of charges, or from entering into any reasonable arrangement with its customers or consumers or its employes for a fixed period for the automatic adjustment of charges for any service or supply rendered or furnished or to be rendered or furnished and the payment of dividends or the distribution of surplus profits; provided that any such sliding scale or arrangement shall have first been filed with and approved by the commission; but nothing in this paragraph shall operate to prevent the commission, after the expiration of such fixed period, from fixing or prescribing proper, just and reasonable rates and charges to be made for service or supply as authorized by this act, or from revoking its ap-

proval of any arrangement hereunder or amending or rescinding all orders relating thereto when in its judgment such arrangement shall be no longer practicable or advantageous to the parties interested or injurious to the public.

(2) Nothing in this act shall be taken to prohibit any public tility from itself profiting from any economies, efficiencies, and improvements which it may make; or from distributing by way of dividends, or otherwise disposing of, the profits resulting therefrom; and the commission is authorized to determine to what extent, if any, such utility may have the benefit of the economies, efficiencies, and improvements, and to what extent, if any, efficiencies and improvements shall inure to the benefit of the public in the reduction of rates and charges for service.

Sec. 33. (1) The provisions of this act and of the present laws or any future law of this state shall govern the interchange of passenger and property traffic between the lines owned, operated, controlled or leased by a common carrier and the lines of every other common carrier without discrimination between shippers, passengers or carriers, either as to compensation, charge, service rendered or facilities afforded.

Provided, however—

(a) That preference may always be given for transportation of live stock and perishable property;

(b) That every railroad corporation and every electric railroad corporation shall make or permit to be made, a physical connection or connections between any railroad operated by it and the railroad or any other railroad corporation or electric railroad corporation whenever the commission shall find and order that public convenience and necessity require such physical connection or connections; and that such physical connection or connections can reasonably be made by the construction and maintenance of switch or track connection or interchange track at connecting points, and without thereby causing irreparable injury to either of such corporations or substantial detriment to the service to be rendered by each such corporation.

And in like manner and subject to like restrictions every street railway corporation shall permit a physical connection or connections to be made between any street railway operated by it and the street railway of any other street railway corporation, in addition to furnishing the facilities required by chapter 104, acts of the Thirty-second General Assembly of Iowa.

(c) The commission may when in its judgment the interests of the public will be subserved thereby, after due hearing upon not less than thirty days notice given to the utility or utilities thereby affected, make such order or regulation as may be necessary to require or permit any railway, interurban railway, or street railway to use a portion of the tracks, grounds, terminals and other facilities of any other railway, interurban railway or street railway, taking into consideration the duties, rights and interests of the corporation or utility whose tracks, terminals or other facilities are to be so used and providing in said order, rule or

regulation for just and reasonable compensation for such use thereof as is permitted, which compensation shall be fixed by the commission in case the utilities interested fail to agree.

A railroad corporation or an electric railroad corporation shall not be required to interchange cars with a street railway corporation except on such terms and conditions as the commission may, after hearing, order and direct.

(2) The commission shall have power by order to require any two or more telegraph or telephone public utilities whose lines form a continuous line of communication or could be made to do so by the construction and maintenance of suitable connections at common points, between different localities which are not reached by the line of either company alone, or between any telephone system and any local switching station maintained by one or more rural mutual telephone lines for the convenience of their members, but not maintaining a general local exchange or between any two telephone systems maintained in any municipality and which are owned or controlled either directly or indirectly by the same persons or company, to establish through lines within the state between two or more such localities or to establish physical connection between such local telephone system and such rural switching station or between such two telephone systems so owned or controlled by the same person or company in one municipality, and to establish joint rates or charges for such service and to fix the terms and conditions under which such joint service shall be rendered; and in case such through lines and joint rates be not established by the utilities named in any such order within the time therein specified, the commission shall have power by order to establish the same and fix the just and reasonable rates and charges to be charged for such through service and to declare the portion thereof to which each of the said utilities affected thereby shall be entitled and the manner in which the same shall be secured and paid. The term "physical connection" as used in this sub-section means such number of trunk lines or complete wire circuits and connections as may be required to furnish reasonably adequate telephone service between such public utilities.

(3) Every public utility having conduits, subways, poles or other equipment on, over or under any street or highway shall for a reasonable compensation and upon such terms and conditions as the commission shall prescribe and order, permit the use of the same by any other public utility, whenever, in the judgment of the commission, public convenience and necessity require such use, and when such use will not result in irreparable or serious injury or damage to the public utility owning such conduits, subways, poles or equipment, nor in any substantial detriment to the service to be rendered or supply furnished by such public utility.

Sec. 34. Every public utility shall annually on such day as the commission may designate, transmit to the commission a report for the year ending on a preceding day to be fixed by the commission which shall be called the annual report, and shall be verified in such manner as required by the commission. In case any verification be not made upon the knowledge of the person verifying the same, he shall state in his certificate the

sources of his information and the grounds of his belief as to any matters not stated to be verified upon his personal knowledge.

Such annual report shall set forth in addition to the present requirements of law, such facts, statistics and particulars, and in such items, relative to the public utility, its business, operations, receipts and expenditures, and all such other information as may be required by the commission.

The commission shall prescribe and shall annually furnish to the public utilities blank forms for such annual reports. The commission may from time to time make such changes and additions in such forms as it may deem proper and desirable, giving to the public utilities reasonable notice of any changes or additions which require a substantial alteration in the methods or forms of keeping their accounts.

In case of public utilities subject to the supervision or regulation of the interstate commerce commission or other federal authority, the forms prescribed for such annual reports shall conform as nearly as may be to those required of such public utilities by the interstate commerce commission or such other federal authority.

If a report is defective or appears to be erroneous, the commission shall notify the public utility to amend it within fifteen days.

The commission may extend the time for making and filing the annual report for a period not exceeding sixty days.

The originals of the annual reports, subscribed and verified as hereinabove provided, shall be preserved in the office of the commission and be open to the inspection of the public.

The commission may also require of any public utility periodical or special statements or reports concerning any matters about which the commission is authorized or required by this or any other act to inquire or keep itself informed or which it is required to regulate, supervise or enforce; which periodical or special statements or reports shall cover such period and shall be furnished within the time and be verified in the manner prescribed by the commission.

The commission may at any time require of any public utility specific answers to questions upon which the commission may need information and which it shall deem necessary or desirable to enable it to carry into effect any of the profisions of this act.

If any public utility shall fail to make and file its annual report within the time in this section specified, or within the time as extended by the commission, or shall fail to amend such report within the time above specified, or shall fail to make the periodical or special statements or reports when and as required by the commission, as in this section provided, or shall fail to make specific answers to any questions asked of it by the commission pursuant to the authority of this or any other act, such public utility shall forfeit to the state the sum of twenty-five dollars for each and every day it shall continue to be in default with respect to such annual report, amendment, periodical or special statement or report or answer, which forfeiture shall be recovered in an action brought by the commission in the name of the people of the state of Iowa. The amount recovered in any such action shall be put in the state treasury

and credited to the general fund. Provided, however, that nothing in this section contained shall be construed to cause any municipality to forfeit or pay a sum greater than fifty dollars ($50.00); but the forfeiture herein provided may be enforced against the officer or officers offending or failing to report.

Sec. 35. (1). The commission shall keep itself informed as to the condition of the public utilities subject to its supervision, their capitalization, their franchises and the manner in which they are managed, conducted, controlled and operated, not only with reference to the adequacy, security and accommodation of the service afforded by them, but also with respect to their compliance with their charters, the laws of this state, and the orders, directions and requirements of the commission.

It may inquire into the rates, charges, regulations, practices, equipment and services of public utilities, or it may designate persons to inquire into these matters.

(2) The commission shall have power, either through its members or responsible agents, engineers, inspectors, and consumers duly authorized by it, to enter upon the premises and to inspect the property, equipment, buildings, plants, factories, power houses and offices of any public utility for any purpose consistent with the provisions of this act. It shall have the power to set up and use on such premises any apparatus and appliances and occupy reasonable space therefor.

The power of inspection hereunder shall include the right to ride upon any freight or passenger locomotive or car while in service and to have upon reasonable notice the use of an inspection locomotive or inspection car, or inspection locomotive and inspection car, for a physical inspection once annually of all the lines and stations of each common carrier under its supervision.

(3) The commission shall investigate the cause of all accidents happening in conncetion with the operation of any public utility within the state and resulting in the serious injury or death of any person, and which in its judgment shall require investigation.

Every public utility shall give immediate notice, so far as possible, to the commission of every such accident happening in connection with its operation within the state, stating the time, place and circumstances of the accident and such other facts relative thereto as the commission may require.

Any commissioner, or any inspector or other employe of the commission duly authorized by it may attend any inquest held in the case of any such accident with power to cause any person having or believed to have knowledge of the facts and circumstances to be summoned as a witness to testify at such inquest.

(4) The commission after notice and a public hearing may by order ascertain and fix adequate and serviceable standards for the measurement of quality, quantity, pressure, initial voltage or other condition pertaining to the supply or quality of the product furnished or rendered by any water corporation, gas corporation or electrical corporation within the state, and prescribe reasonable regulations for examining and testing such product or service or for the measurement thereof. It may estab-

lish reasonable rules, regulations, specifications and standards to secure the accuracy of all meters and applicances for measurements; and prescribe from time to time standards of quality, quantity, pressure, and efficiency of water, gas and electric current manufactured, distributed, transmitted or sold by any such water corporation, gas corporation or electrical corporation, and every such corporation is hereby required to carry into effect all orders of the commission relative thereto.

Any consumer or user may have any appliance used for the measurement of any product or service of a water company or corporation or a gas or electrical corporation or company tested upon payment of the fees fixed by the commission. The commission may establish reasonable fees to be paid for testing such appliances on the request of the consumers or users, such fees to be paid by the consumer or user at the time the request is made and to be paid by the utility and repaid to the consumer or user if the appliance be found commercially defective or incorrect to the disadvantage of the consumers or users, under such regulations and conditions as the commission may prescribe.

The commission shall purchase such materials, apparatus and other instruments for examination and tests under this paragraph as it may deem necessary.

(5). The commission shall examine and inspect from time to time the methods employed by any water corporation, gas corporation or electrical corporation in manufacturing, distributing, transmitting, supplying or delivering water, gas or electricity, and shall have power to order such reasonable improvements and extensions of the works, wires, pipes, mains and poles, lines, conduits, ducts and such other reasonable devices, apparatus and property of such public utilities, as in its judgment will best promote the public interest, preserve the public health and protect those using such water, gas or electricity and those employed in the manufacture or distribution thereof.

Sec. 36. The commission may of its own motion investigate or make inquiry in a manner to be determined by it as to any act or thing done or omitted to be done by any public utility; and it shall be the duty of the commission to make such investigation or inquiry in regard to any act or thing done or omitted to be done by any such public utility in violation of any provision of law or of any order of the commission.

Complaints may be made to the commission by any person or corporation aggrieved, or by any civic body or municipal corporation, either by petition or complaint in writing, setting forth any thing or act done or omitted to be done by any public utility in violation or claimed to be in violation of any provision of law or of the terms and conditions of its franchises or of any order of the commission.

Upon the presentation of such complaint the commission shall cause a copy thereof to be forwarded to the public utility complained of, together with an order directed to such public utility requiring that the matters complained of be satisfied or that answer be made thereto in writing within a time to be specified in such order. If the public utility shall satisfy the complaint and shall notify the commission of that fact on or before the time allowed for answer, the commission need take no

further action upon the complaint. If, however, the complaint be not satisfied and it shall appear to the commission that there are reasonable grounds for such complaint, it shall investigate the charges therein by such means as it shall deem proper and take such action within its power as the facts may justify.

In every case of complaint investigated by the commission it shall make and file an order dismissing the complaint or petition; or, after notice, give a hearing to the complainant or complainants and the public utility, and upon such hearing make and file an order either dismissing the complaint or petition or directing the public utility complained of to satisfy the cause of complaint in whole or to the extent which the commission may specify and require.

Any public utility may make complaint hereunder as to any matter affecting its own property, service or supply, and the procedure thereon shall be the same as in other cases of complaint.

Sec. 37. (1) (a) Whenever the commission after a hearing had upon its own motion or upon complaint shall find that the rates, fares, tolls, rentals, charges, joint rates, or any of them, demanded, exacted, charged, collected or made by any public utility for any service or suppy, or in connection therewith, or that the rules, regulations, practices, contracts or classifications of such public utility affecting such service or supply or such rates, fares, tolls, rentals, charges or joint rates, or any of them, are unjust, unreasonable, or unjustly or unduly discriminatory or preferential, or in any wise in violation of any provision of this act or any other law of this state, or that such rates, fares, tolls, rentals, charges or joint rates are insufficient to yield reasonable compensation for the services rendered or supply furnished, the commission shall, with due regard to a reasonable return upon the value of the property of said public utility actually used and useful for the convenience of the public, determine the just and reasonable rates, fares, tolls, rentals, charges, joint rates, rules, regulations, practices, contracts or classifications to be thereafter imposed, observed and enforced, and shall fix the same by order to be served upon such public utility, provided, however, that nothing in this act shall be deemed to modify or repeal any of the provisions of section 2077 of the Supplement to the Code, 1907.

(b) Nothing herein contained shall be held to prevent any municipality owning and operating any public utility within the provisions of this act, from fixing or determining the reasonable tolls, rates, charges, classifications and schedules for services to be rendered or furnished by such municipally owned public utilities, nor to prevent a municipality from constructing, installing and operating a light and power or gas plant, for the purpose of lighting the streets, alleys, parks and public property and buildings and furnishing power for city use and purposes.

(c) Complaints may be made to the commission by any municipality or public utility or by any twenty-five (25) consumers in any municipality by petition or complaint in writing, setting forth the unreasonableness or unlawfulness of any rates, fares, tolls, charges, classifications or schedules fixed, determined, or charged by any public utility other than those owned and operated by a municipality for the rendering or furn-

ishing of any services, and upon the presentation of such complaint, the commission shall proceed in the general manner set forth in this section with reference to other complaints, and upon hearing, the commission shall determine and fix what shall be the reasonable rates, fares, tolls, charges, classifications or schedules or any of them.

(d) Complaints may be made to the commission by ten per cent of the consumers in any municipality by petition or complaint in wrtiing, setting forth the unreasonableness or unlawfulness of any tolls, rates, fares, charges, classifications or schedules fixed, determined or charged by any municipality owned public utility under the jurisdiction of the commission for the redering or furnishing of any service, or the failure of any such utility to furnish adequate service, and, upon the presentation of such complaint, the commission shall proceed in the general manner set forth in this section and, upon hearing, the commission shall determine and fix what shall be the reasonable rates, fares, tolls, charges, classifications or schedules or any of them, and what shall be adequate service. Provided, however, that before submitting such petition or complaint to such commission, the same shall have been submitted to the council of such municipality for consideration, and only those rates, joint rates, fares, rentals, tolls or charges upon which there is still a dispute, after said council shall have passed thereon, shall be submitted to said commission. If such council does not act upon such petition so presented within thirty days from the time same is so presented, then such petition or complaint may be taken direct to the commission.

(2) The commission shall have power to establish joint rates, fares, charges, transfers, on through routes between railroads, or between electric railroads, or between street railways, or between any railroad and any electric railroad, or between any electric railroad and any street railway. Nothing in this act contained shall be construed to affect, modify or repeal any of the provisions of chapter 104, of the acts of the Thirty-second General Assembly of the state of Iowa (incorporated in the Supplement to the Code, 1907, as sections 2110-c, 2110-d, 2110-e and 2110-f) and the commission shall have full power and authority to make all orders, rules and regulations by it deemed necessary and proper for the purpose of enforcing the provisions and effectuating the objects and purposes of said chapter 104; provided, however, that all proceedings thereunder by the commission and all actions to enforce, vacate, or modify, and all appeals from, the orders of the commission thereunder shall be subject to and governed by the provisions of this act.

The commission shall have power by order to prescribe and establish just and reasonable joint rates, tolls or charges by two or more telephone corporations or by two or more telegraph corporations whose lines form a continuous line of communication or where it would be practicable to form such continuous line by the construction and maintenance of suitable connections or transfers of messages at common point.

In case the public utilities cannot agree upon the division or apportionment between them of such joint rates, tolls or charges established hereunder, the commission shall have power, after due hearing, by sup-

plemental order to determine and prescribe such division or apportionment and the manner in which the same shall be paid or secured. Such supplemental order shall take effect as part of the original order from the time such supplemental order shall become effective.

(3) The commission shall have power, when deemed by it necessary to prevent injury to the business or interests of the people or of any public utility of the state, in case of an emergency, to be judged of by the commission, to temporarily alter, amend, or, with the consent of the public utility concerned, suspend any existing rates, schedules and orders relating to or affecting any public utility or part of any public utility in this state.

Any order of the commission under this subdivision (3) may apply to any one or more of the public utilities in this state, and shall take effect at such time and remain in force for such period as may be prescribed therein.

Sec. 38. Whenever the commission, after hearing, shall find that the rules, regulations, practices, equipment, appliances, facilities, service or supply of any public utility are unjust, unreasonable, unsanitary, insufficient, inadequate, or otherwise in violation of law, the commission shall have power to determine with such particularity as the case demands, and fix and prescribe by order the just, reasonable, sufficient and adequate rules, regulations, practices, equipment, appliances, facilities, service or supply thereafter to be observed, used, furnished or rendered by such public utility; and after the service of such order, it shall be the duty of the public utility to observe and obey each and every requirement of the order and to do everything necessary or proper in order to secure compliance with and observance of such order by all its officers, agents, and employes.

Sec. 39. Whenever the commission, after hearing, shall find that additions, extensions, terminal facilities, stations, apparatus, equipment, facilities or devices ought reasonably to be provided by any public utility to or for use in connection with its plant or property, or that any repairs or improvements to or changes in any thereof in use ought reasonably to be made, in order to promote the security, convenience or welfare of the public, or the safety of employes, or in any other way to secure adequate service or facilities, the commission shall by order direct that such additions, extensions, terminal facilities, stations, apparatus, equipment, facilities, devices, repairs, improvements, or changes to be made or provided in the manner and within a reasonable time to be specified in such order; and after the service of such order, it shall be the duty of the public utility to observe and obey each and every requirement of the order.

If any such additions, extensions, terminal facilities, stations, apparatus, equipment, facilities, repairs, improvements or changes ordered by the commission under the provisions of this act require joint action by two or more public utilities, the commission shall in its order notify such public utilities that such additions, extensions, terminal facilities, stations, equipment, facilities, devices, repairs, improvements or changes shall be made or furnished at their joint cost, whereupon such public utilities shall have such reasonable time as the commission may grant

within which to agree upon the portion of the cost or expense of such additions, extensions, terminal facilities, stations, equipment, facilities, devices, repairs, improvements or changes which each shall bear. If within the time fixed such public utility shall fail to file with the commission a statement that an agreement has been made for such apportionment, the commission shall have authority, after further hearing, by order to fix the proportion of such cost or expense to be borne by each such public utility and the manner in which the same shall be paid or secured.

Sec. 40. The commission shall have the power to investigate and ascertain the value of the property of every public utility in the state and every fact which in its judgment has, or may have, any bearing upon such value.

Separate valuations may be made for the different purposes of public purchase and rate making.

Before final determination of the value of the property of any public utility, in a proceeding involving the rates and charges of such public utility, or the public purchase of its property, or the issuance of its stocks, bonds, notes, or other evidence of indebtedness, the commission shall, after not less than thirty (30) days' notice in writing to the public utility concerned, hold a public hearing as to such valuation, at which all parties to such proceedings shall be entitled to be heard, to be represented by counsel, to introduce evidence at such hearing, and to have process to enforce the attendance of witnesses.

Any order of the commission fixing the value of the property of a public utility for any of the purposes herein mentioned shall include findings of fact as to all matters bearing upon such value and which have been investigtted by the commission or concerning which evidence may have been adduced and shall also state the bases, standards, or elements of value considered by the commission in arriving at such value.

The commission may from time to time cause further hearings and investigations to be had for the purpose of making a revaluation of the property of any public utility by reason of betterments, improvements, additions, or extensions to such property subsequent to any original order of valuation of its property hereunder, or by any reason of any other matter which may change, modify, or affect any findings of fact made in such original order; and may, at any time after due hearing make any finding of fact supplementary to those made in any previous order.

Every such supplementary hearing shall be had upon the same notice and be conducted in the same manner, and the order therein shall have the same force and effect as is provided in this section in the case of an original hearing and order with respect to valuation.

The finding of facts of any order made at such supplemental hearing shall be considered in connection with and as supplementary thereto or amendatory thereof, as the case may be.

In making any valuation under this section, the commission shall have access to and use of any books, documents, or records in the possession

of any department or board of the state or of any municipality or other political or governmental subdivision of the state; and may resort to any other source of information available.

In all computations relative to reasonable rates of charges for services or supplies, the value of the plant for rate making purposes, the operating expenses, the earnings, etc., of a public utility, the commission shall make proper allowances for depreciation, sufficient to replace the property and the parts thereof, but it shall make no allowance for an amortization fund, in those cases in which the aforesaid depreciation is allowed.

In valuation for rate making purposes, no franchise right or privilege granted to a public utility by the state or by a political subdivision thereof shall be appraised, fixed, or considered at any greater sum or value than the sum paid therefor into the public treasury of the state, or of the political subdivision granting the same.

(2) All the findings of the commission as to the value of properties subject to their jurisdiction, when properly certified under the seal of the commission, shall be admissable in evidence in any action, proceeding or hearing, before the commission or any court, in which the commission, the state or any office, department or institution thereof, or any county, municipality or other body politic and the public utility affected may be interested, when arising under the provisions of this act or amendments thereto, and such findings when so introduced, shall be conclusive evidence of the facts therein stated, as of the date therein stated, under conditions then existing, and such facts can only be controverted by showing a subsequent change in condition bearing upon the facts therein determined. The commission may, from time to time, cause further hearings and investigations to be had for the purpose of making revaluations or ascertaining the values of any betterments, improvements, additions or extensions made by any public utility subsequent to any prior hearing or investigation and may examine into all matters which may change, modify or affect and finding of fact previously made, and may at such time make findings of fact supplementary to those theretofore made. Such hearings shall be had upon the same notice and be conducted in the same manner and the findings so made shall have the same force and effect as provided herein for such original notice, hearings and findings; provided, that such findings made at such supplemental hearings or investigations shall be considered in connection with and as a part of the original findings, except in so far as such supplemental findings shall change or modify the findings made at the original hearing or investigation.

(3) After the first day of January, 1914, it shall be the duty of the commission to value the property of public utilities for the purpose of taxation and equalization, and to enable said commission to do so, the executive council shall make available the data contained in the reports required to be filed with the council by existing statutes. The commission shall send certified copies of said values to the executive council or any other state tribunal having jurisdiction over state taxes and assessable values of said properties, at such dates as may

be required by the executive council or other tribunal provided the commission can with reasonable diligence furnish the same on such dates.

The said values as found by the public service commission shall be evidence before the executive council or other tribunal and in all courts of the state, of the assessable values of said properties for taxation and esualization purposes. Accompanying the aforesaid certified statement of the assessable values the commission shall send a statement of the processes of all computations entering into the said findings of value, together with a detailed description of all the methods used and the principles upon which such values are based.

In determining the said values the commission shall consider all the factors now prescribed by statute, or which shall be deemed by it, as proper for consideration in determining values for taxation purposes, and shall give such weight to said factors as in the judgment of the members of said commission is fair and just.

The value of all franchises, rights or privileges granted to a public utility by the state, or by a political subdivision thereof, shall be appraised and included in valuations made by the commission for taxation purposes.

The executive council shall use said values so determined and certified with such other evidence, facts and data as are required to be considered in assessing said public utilities under the statutes of the state.

Sec. 41. (1) No public utility shall exercise any right or privilege under any franchise or license hereafter granted, or under any franchise or license heretofore granted but not hertofore actually exercised or acted upon, without first having obtained from the commission a certificate that public convenience or necessity requires the exercise of such right or privilege.

No public utility shall hereafter begin the construction of a street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerating plant, or telephone line, or any extension thereof or addition thereto, without first having obtained from the commission a certificate that the present or future convenience and necessity require or will require such construction. Provided, that nothing herein shall be construed to require any such public utility to secure such certificate for an extension within any municipality in which it shall have, prior to the passage of this act, commenced the construction of any such publi utility plant; or for extension into territory, either within or without a muniipality contguous to its plant, line, system or structure and not then served by a public utility of like character; or for an extension within or to territory already served by it necessary or convenient in the ordinary course of its business. And provided further that if any such public utility in constructing or extending its line, plant, system or structure shall interfere or be about to interfere with the construction or operation of any line, plant, system or structure of any other public utility already constructed or in course of construction, the commission, on complaint of the public

utility claiming to be injuriously affected, may, after hearing, make such order precluding, or prescribing such terms and conditions for the location of the proposed construction or extension as it may deem lawful, just and reasonable.

(2) No franchise, license or permit shall hereafter be granted to any person or corporation to construct and operate, manage or control any street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerating plant, telephone line, or telephone exchange within the limits of any municipality in the state where there is in operation a public utility engaged in similar service, without first procuring from the commission, after a public hearing, upon due notice to all parties interested, an order finding that public necessity and convenience require such second public utility.

Nothing in this subdivision (2) of this section shall be construed as preventing or imposing any condition upon the extension of any telephone line from any point outside the limits of any municipality into or through such municipality for the purpose of connecting with any telephone exchange therein or of connecting with any other telephone line system; or as preventing or imposing any condition upon the extension of any electric railroad from any point outside the limits of any municipality into or through such municipality for the purpose of connecting with any other electric railroad or any street railway.

No municipality shall hereafter construct any gas plant, electric plant, water plant or any other public utility where there is in operation in such municipality a public utility engaged in similar service, without first securing from the commission after public hearing of all parties interested, a certificate that public necessity and convenience require such municipal public utility plant, but nothing herein shall prevent the municipality or its grantee from acquiring any such existing public utility plant other than a telephone plant as and in the manner hereinafter in this act provided.

(3) The commission shall have power, after due hearing, to issue any certificate under the provisions in this section, or to refuse to issue the same; or to issue a certificate for the partial exercise of a right or privilege under any franchise, license or permit; or to issue a certificate for the construction of only a portion of a contemplated street railway, gas plant, electric plant, water plant, or water power plant, heating or refrigerating plant, or telephone line or exchange, or any extension thereof, whenever in its judgment public necessity or convenience so requires.

The commission may attach to the exercise of the rights granted by any such certificate such reasonable terms and conditions as are deemed necessry and convenient for the public service.

If a public utility desires to exercise a right or privilege under a franchise, license or permit which it contemplates securing, but which has not yet been granted to it, it may apply to the commission for an order preliminary to the issuance of a certificate hereunder. The commission may thereupon make an order declaring that it will there-

after upon application, and under such rules and regulations and upon such terms and conditions as it may prescribe and designate in such order, issue the desired certificate after the public utility has obtained the contemplated franchise, license or permit. Upon presentation to the commission of evidence satisfactory to it that such franchise, license or permit has been secured by such public utility, the commission shall thereupon issue such certificate.

(4) Every franchise, license or permit hereafter granted any public utility for the construction, operation or maintenance of any street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerating plant, or telephone line or system shall have the effect of an indeterminate permit as that term is defined in section two (2) of this act, and shall be subject to all the provisions of this act and to the provisions that a municipality in which any such public utility plant is situated, may at any time purchase such plant, excepting telephone line or system, in the manner and upon the terms and conditions provided in this act.

Any municipality is authorized to purchase such property, other than a teiephone plant, and every public utility, other than a telephone plant, accepting and operating under any franchise, license or permit hereafter granted shall thereby be deemed to consent to a future purchase by the municipality in which such public utility is situated, in the manner and under the terms and conditions rpovided in this act.

(5) It is hereby declared necessary in order to promote the public good, that every franchise, license or permit granted subsequent to September 1, A. D. 1873, by the state or by any municipality or other political subdivision of the state and under which a public utility is now being operated and also every franchise, license or permit granted prior to September 1, A. D. 1873, by any such municipality or other political subdivision of the state without authority by law so to do, and under which a public utility is now being operated, such franchise, license or permit being for the construction, operation or maintenance of any street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerating plant or telephone line, shall be and is hereby converted into and made an indeterminate permit, within the meaning of that term as defined in section two (2) of this act, and subject to all the terms and provisions of this act, and to the provisions that a municipality in which any such utility plant is situated, may purchase such plant in the manner and upon the terms and conditions provided in this act; and that every such franchise, license or permit shall have the same force and effect as an indeterminate permit hereafter granted to any such public utility as in paragraph (4) of this section.

(6) Any public utility operating under any franchise, license or permit granted by this state or granted by any political or governmental subdivision thereof having authority so to do prior to September 1, A. D. 1873, shall upon filing at any time prior to January 1, A. D. 1914, with the clerk or other recording officer of the munici-

pality or other authority granting such franchise, and also with the commission, a written declaration legally executed that it surrenders such franchise, license or permit, receive by operation of law in lieu thereof an indeterminate permit as that term is defined in section two (2) of this act; and such public utility shall hold such indeterminate permit under all the terms, conditions and limitations of this act.

The filing of such declaration by such public utility shall be a waiver of all of the terms of its franchise contrary to or inconsistent with the provisions of this act. After filing such written declaration with the commission, together with a certificate of the clerk or other recording officer of the municipality or other authority issuing such franchise, license or permit, the public utility shall thereupon receive a certificate under the hand and seal of the commission that such public utility is on and after the day therein specified the holder of an indeterminate permit hereunder; which certificate of the commission shall be conclusive as to the granting and existence of such indeterminate permit.

Every franchise, license or permit heretofore granted by the state or by any political or governmental subdivision thereof under delegated authority, to any railroad corporation or electric railroad corporation for the constuction maintenance or operation of its railroad or electric railroad along, upon, across, over or under any public highway, road, bridge, place, street, canal or water course, except where the right to remove or order the removal of tracks, switches, spurs and other appliances of said railroad or electric railroad is expressly reserved by ordinance or contract, is hereby declared to constitute and be an indeterminate permit during the corporate life and all extensions thereof (as stated in the articles of incorporation, subject, however, to all of the terms and provisions of this act).

The provisions of this act shall be liberally construed for the purpose of protecting both the utilities referred to and the purchasers of the securities thereof and the public generally against the loss, damage, and inconvenience incident to the termination of limited franchise grants and for the further purpose of obtaining for the public continuous and efficient service at reasonable cost, and every indeterminate permit within the description and meaning of this act shall be and be deemed an extended grant direct from the state, subject only to the terms and provisions of this act, and terminable only as herein provided.

Sec. 42. No franchise, license or permit shall hereafter be granted by any municipal corporation or other political or governmental subdivision of this state to any public utility for the construction, operation or maintenance of any street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerating plant, or telephone line, within the limits of such municipality or political or governmental subdivision, without first having been submitted to and approved by the commission. if there be then in operation within such municipality a public utility engaged in similar service .

The provisions of the laws of this state in force when this act goes into effect, governing the granting of franchises, licenses, or permits

by municipal corporations and other political and governmental subdivisions of this state, shall continue in force, subject to the terms, restrictions and provisions of this act, until such laws are altered, amended or repealed; provided that no such public utility, franchise, license or permit which shall become an indeterminate permit under the provisions of this act, shall be subject to the provisions of any existing laws imposing any limitation or restriction as to the duration of any such franchises, licenses or permits.

(2). Every municipality shall have power:

(a). To determine by ordinance, contract or otherwise the quality or character of each kind of service or supply to be rendered or furnished by any street railway, gas, electric, water or water power plant, heating or refrigerating plant, or telephone corporation within such municipality, and all other terms and conditions, not inconsistent with this act or any other law of this state, upon which any such public utility may hereafter be permitted to occupy the streets, highways, or other public property within the municipality.

Upon complaint made by such public utility or by any twenty-five persons, firms, associations or corporations within such municipality, the commission shall set a hearing thereon, and if upon hearing it shall find such ordinance, contract or other determination to be unreasonable, unlawful or prejudicial to the public interests, or unnecessarily oppressive to any such utility, such ordinance, contract, or other determination shall be void, and the commission may, when its judgment necessary, suspend said ordinance, contract or other determination pending the hearing thereof by the commission.

(b). To determine reasonable rates, charges, classifications and schedules for services or supplies rendered and furnished by any public utility, other than a telephone utility in said municipality. Said determination as to reasonable rates, charges, classifications and schedules shall be made by the council or board after a public hearing upon due notice granting to all interested parties ample opportunity to be heard. If during the progress of said hearing and before final submission thereof the public utilities interested shall file an application therefor, the council or board shall immediately petition the commission to establish the fair value of the public utility plant involved in said proceedings. The commission shall proceed at once to ascertain said value in the same manner as provided herein for valuation in case of a proposed purchase by a municipality, and shall send a certified statement to the said council of the value so found which shall be conclusive evidence of the fair value of said property, and the council hall determine the rates, charges, classification or schedules based upon said value. Any utility dissatisfied with the rates and charges so fixed by the council may appeal to the commission and the commission shall have power to review the action of the council and fix and determine the fair and reasonable rates, charges, classification and schedules.

(c). To require of any public utility, by ordinance or otherwise such additions and extensions to the physical plant within such municipality as shall be reasonable and necessary in the interest of the public, and to

designate the location and nature of all such additions and extensions, the time within which they shall be completed, and all conditions under which they shall be constructed, subject, however, to all of the provisions of this act and to review by the commission as provided in the foregoing paragraph (a) of this section.

Sec. 43. (1). Any municipality in this state shall have the power subject to the provisions of this act to construct, acquire and operate, lease manage or control a street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerator plant, wharf, ferry or toll bidge, and in accordance with the provisions of this act to purchase by agreement from any public utility owning, or to acquire in the manner herein set forth, any such street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerator plant, warehouse, wharf, ferry, toll bridge then being operated in or adjacent to and serving such municipality. To carry out the provisions of this section, any such municipality shall have power and authority to incur any indebtedness in the purchase or construction of any such public utility in any sum not in excess of five per centum of the actual value of the taxable property of said municipality as shown by the last preceding assessment, and such municipalities may issue bonds or other evidence of indebtedness therefor. Any such municipality shall in addition to the above powers have the power to buy any such public utility subject to any incumbrance thereon in the form of outstanding mortgages, bonds, or other evidences of indebtedness and to pledge the utility so purchased, all improvements, extensions or additions thereto, and the surplus earning thereof to the payment of the purchase price of said utility. Provided, however, that no part of the funds of such city raised by general taxation shall be applied upon the purchase price of any utility purchased subject to outstanding indebtedness. They shall also have the power to sell, lease or transfer, and to mortge or otherwise encumber, any municipally owned plant or any part thereof to secure the purchase price of said plant or to secure funds with which to make improvements, extensions or additions thereto or to apply upon the purchase price of other public utilities or utility, as the case may be, upon approval by a vote of the peolpe in the manner as provided by law for the purchase of such utility.

Provided, however, that in no event shall the amount of encumbrance, mortgages, bonds or other evidences of indebtedness against such utility when purchased, nor the amount of any mortgage or encumbrance thereafter executed thereon, exceed two-thirds of the value of such utility as fixed and confirmed by the commission. Any municipality desiring to purchase a utility subject to incumbrance or to execute an incumbrance thereon shall place before the commission the facts with reference thereto, and the commission shall thereupon fix such value for the purposes of this specific provision and certify same to such municipality.

(a). If at any time the council or other corporate authority of any municipality shall by ordinance declare the determination of such municipality to construct or to acquire an existing public utility plant therein and coming within the description of sub-division (1) of this section, it shall in the manner now or hereafter provided by law governing the

acquisition of such public utility plants, or any of them, submit to the qualified electors of such municipality at any general, municipal or special election to be held therein the proposition of the construction or acquisition of such plant; and if at such election a majority of votes cast upon such proposition shall be in favor thereof, such municipality shall give notice to the public utility sought to be acquired and to the commission of such determination, and of the result of such election.

(b). If it be the desire of such municipality as evidenced by the resolution of its council, to construct a public utility therein when another public utility rendering similar service is then existing in such municipality, it shall make application to the commission for authority and shall not be permitted to construct any second utility of similar character without having first secured the consent of such commission, and upon such consent being given the vote of the people may be taken as hereinbefore provided.

(c). The commission shall upon receipt of the notice mentioned in this section set a time and place for a public hearing upon the matters of the just compensation to be paid for the taking by the municipality of the plant and equipment of the public utility, and of all other terms and conditions of the purchase and sale; and shall give to the municipality and the public utility concerned not less than thirty days notice of the time and place of such hearing, and shall give like notice to all creditors, bondholders, mortgagees, trustees, lienors, lessees, and all other persons having or claiming to have any interest in such public utility or its property, by publication of such notice at least once a week for three successive calendar weeks in at least one newspaper published and of general circulation in the county in which such municipality is located.

Within a reasonable time not exceeding one year after the time fixed for such hearing in such notice, and after such hearing, the commission shall by order fix and determine and certify to the municipal council or other corporate authority of the municipality and to the public utility, and to any lessee, bondholder, mortgagee, trustee, lienor, or other creditor appearing or represented at such hearing, the just compensation to be paid for the taking by the municipality of the property of the public utility, and all other terms and all conditions of sale and purchase which the commission shall deem reasonable and proper. The compensation and other terms and conditions of sale and purchase thus certified by the commission shall constitute the compensation and terms and conditions to be paid, followed and observed in the purchase of such plant from such public utility.

(d) The laws now in force governing the acquisition and operation by municipalities of public utility plants, except in so far as they are inconsistent or in conflict with or are modified by the provisions of this act, shall apply to any municipal acquisition or operation of a public utility plant hereunder, until such laws are amended, modified, or repealed.

(2). Any municipality of this state in which a public utility is operating a street railway, gas plant, electric plant, water plant, water power plant, heating or refrigerator plant, or telephone line, shall have power

by ordinance to grant to any other corporation, duly organized or qualified under the laws of this state with appropriate and sufficient corporate powers, a franchise to operate a similar public utility plant therein; provided such municipality shall first have submitted the proposed ordinance to the commission and procured from the commission, after public hearing, upon due notice, to all parties interested, an order finding that public necessity and convenience require such franchise grant and approving such proposed franchise in the form submitted or with such modifications or changes as it shall deem proper and prescribe; and no ordinace making any such franchise grant shall be passed by any such municipality except such as shall have been thus authorized and approved by the commission, nor shall any such ordinance go into effect after its passage until it shall have been submitted to the qualified electors of the municipality at any general, municipal or special election held therein, and approved by a majority of such electors voting thereon.

The grantee in any such ordinances franchise grant shall have the right to purchase the existing public utility plant in the manner provided and prescribed in the foregoing subdivision (1) of this section with respect to municipal acquisition. ....

Sec. 44. (1) Except as in this act otherwise provided, no public utility shall sell, transfer or lease its property, franchises, permits, works, plant or system to any other corporation or person, or contract for the operation of its works, plant or system without the written consent of the commission.

(2) Except as in this act otherwise provide, no public utility shall directly or indirectly acquire the stock or bonds of any other public utility incorporated for or engaged in the same or a similar business, or operating or proposing to operate under a franchise, license or permit from the same or any other municipality, without the written consent of the commission; nor shall any public utility, domestic or foreign, hereafter purchase or otherwise acquire, take or hold any part of the capital stock of any other public utility organized or existing under or by virture of the laws of this state, without first having obtained a certificate of authority from the commission so to do.

Every assignment, transfer, or contract or agreement for the assignment or transfer of any stock in violation of the provisions of this section shall be void and of no effect, and no such transfer or assignment shall be made upon the books of any such public utility or be recognized as effective for any purpose.

Nothing herein contained shall be construed to prevent the holding of capital stock heretofore lawfully acquired, or to prevent, upon surrender or exchange of said stock, pursuant to a consolidation or reorganization plan, the purchase, acquisition, taking or holding of a proportionate amount of stock of any consolidated corporation or of a new corporation organized to take over on foreclosure or other sale the property of any public utility whose stock has thus been surrendered or exchanged.

(3) No public utility shall hereafter sell, lease, assign, mortgage or otherwise dispose of or incumber the whole or any part of its property, works, plant, or system necessary or useful in the performance of its

duties to the public, or any franchise, permit, easement, immunity, contract, right or privilege relative thereto, nor by any means whatsoever, direct or indirect, merge or consolidate with any other public utility or utilities, without first having secured from the commission an order authorizing it so to do, and upon such terms and conditions and with such restrictions and limitations as the commission shall in its order prescribe, and subject to the provisions and requiremtnts of this act and of any other law of this state not in conflict herewith.

(4) Any two or more public utility corporations incorporated for or engaged in carrying on business in the same vicinity or in contiguous territory; or any two or more public utility corporations whose properties, plants, works or systems are or are capable of being physically connected or operated under one management and control may merge or consolidate their properties, capital, stock, franchise, permit, immunities, contracts, rights and privileges into a single corporation which may be one of said merging or consolidating corporations, or a new corporation to be formed by means of such merger or consolidation, or a new corporation organized or qualified for the purpose under the general corporation or railroad laws of this state.

The application to the commission for an order authorizing any such merger or consolidation shall be accompanied by a sworn statement setting forth:

(a) A description of the properties, capital, stock, franchises, permits, immunities, contracts, rights and privileges proposed to be merged or consolidated;

(b) The nature and extent of the business of each such public utility;

(c) The nature and amount of the outstanding debts and liabilities of each such public utility.

(d) Copy of the form of agreement of merger or consolidation proposed to be executed, which shall prescribe the terms and conditions of the proposed merger or consolidation, the mode of carrying the same into effect, the manner of converting the capital stock of each of the merging or consolidated corporation into the stock or obligations of the new or consolidated corporation, as the case may be, and in case of the creation of a new corporation, the name of such corporation, the objects or purposes thereof, the number of shares of the capital stock thereof, whether common or preferred, and the amount of each, the par value of each share, how and when the directors and officers shall be elected and appointed, the location of the principal office and the duration of the corporation, together with all such other provisions and details as shall be deemed necessary or appropriate to perfect such merger or consolidation and conform to the provisions of this act.

(e) A certified copy of the articles of incorporation of each such corporation.

(f) The total capital stock of each corporation authorized, issued and outstanding, respectively.

(g) Certified copies of the resolutions of the board of directors of the respective corporations authorizing the merger or consolidation and the execution of the agreement therefor.

(h) It has by a written declaration legally executed and filed with the commission surrendered any franchise, license or permit granted by this state or any political or governmental subdivision thereof that it may have had or claimed prior to the passage of this act, and has received by operation of law in lieu thereof, as indeterminate permit as that term is defined in section two (2) of this act.

Upon application to it under the provisions of this division the commission shall make such inquiry and investigation, held such hearings, examine such witnessed, books, papers, documents or contracts, and require such further information to be furnished by the applicants as it may deem of importance in enabling it to reach a determiantion.

If the commission shall determine that the proposed merger or consolidation does not come within the provisions of this act or would not be for the public good, it shall make and enter an order denying the application therefor and stating the reason for its denial.

If the commission shall determine that the proposed merger or consolidation comes within the provisions of this act and would be for the public good, it shall enter an order to that effect, which shall set forth:

(a) The agreement of merger or consolidation approved by the commission, which may be the one presented or with such modifications, changes or alterations as the commission may prescribe.

(b) Any terms, conditions, restrictions, or limitations which the commission may impose or prescribe for and in or about such merger or consolidation or carrying the same into effect.

After the making and entry of the order by the commission allowing any such merger or consolidation, the boards of directors of the respective corporations proposed to be merged or consolidated may by resolution authorize and direct the execution of the agreement of merger or consolidation as approved by the commission in its order as aforesaid. Such agreement in two or more counterparts or duplicates, each of which shall have the same force and effect as if it were the sole original instrument, shall be executed by the president and attested by the secretary of each of said corporations under its corporate seal, or otherwise as may be directed by the resolutions of the boards of directors of said corporations, respectively. Such agreement shall then be submitted to the stockholders of each corporation concerned either at a regular annual meeting or at a special meeting called for the purpose. If submitted at any regular annual meeting or at a special meeting notice of the question of the proposed mereger or consolidation to be submitted shall be included in the notice of such meeting and given as in the manner provided by the by-laws of the corporation, or in the absence of any governing by-law, then notice of the proposed submission of such question at such regular annual meeting shall be given as and for the time hereinafter provided in the case of special meetings.

Where it is proposed to submit any such question of merger or consolidation at any special stockholders meeting, such special meeting shall be called and notice thereof given as provided by the by-laws of the corporation, or in the absence of any governing by-law, such special meeting shall be called by resolution of the board of directors of the corporation, and there shall be mailed to each stock-

holder of record at his last known address, at least thirty days prior to the time fixed for the meeting, a notice stating that the ime, place, and objec of the meeting, which notice shall be signed by a majority of the directors or in such other manner as the board of directors shall in its said resolution direct. For the purpose of giving notice to any stockholder whose address is not known or who may not receive notice by mail, a general notice of the time, place and object of such meeting shall also be published at least once each week for three successive calendar weeks in some newspaper printed in the county in which the principal business office of the corporation is located; provided, however, that failure to publish such notice shall not invalidate any meeting held thereunder, if it shall appear that each stockholder received or had personal notice of such meeting; and every meeting held thereunder at which all of the stockholders are present in person or by proxy shall be valid irrespective of whether the notice hereinabovt required was given, mailed, delivered or published, or was given, mailed, delivered or published for the time stated herein.

At any stockholders' meeting held hereunder, stockholders may vote in person or by proxy, each stockholder being entitled to one vote for each share of stock held by him. If at such meeting the holders of at least two-thirds of the outstanding capital stock of the corporation vote in favor of the proposed merger or consolidation submitted and in approval of the agreement of such merger or consolidation submitted at such meeting, that fact shall be certified on each of the executed counterpart or duplicate originals of such agreement by the secretary of each of the respective corporations under the corporate seal thereof; and such counterpart or duplicate originals of such agreement so authorized, made, executed, approved and certified shall be filed, one in the office of the secretary of state, one on the office of the commission and one in the office of the recorder of deeds of the county in which the principal business office of each such merging or consolidating corporations is located; and thereup such merger or consolidation shall be deemed effective and the several corporations shall be deemed merged and consolidated in one corporation by the name provided in said agreement, if a new corporation is created thereby; or by the name of the consolidated corporation in which said other corporation or corporations shall be so merged or consolidated. Such consolidated corporation shall be deemed and held to possess all and every, the property, rights, privileges, powers, immunities, franchises, permits and contracts as well of a public as of a private nature of each of the corporations so merged or consolidated and as may be stated in said agreement of merger or consolidation, and subject to all of the restrictions, disabilities, debts, liabilities and duties of each of said corporations so merged or consolidated, except as limited by the provisions of this act. Provide, however, that all rights or creditors and all liens upon the properties of the respective merged or consolidated corporations shall be preserved unimpaired; and in case a new corporation is created by such merger or consolidation, or in case such merger or consolidation is with a corporation

created for that purpose as aforesaid, the original or constituent corporations shall be severally deemed to continue in existence for the purpose of upholding any right, title, interest, power, privilege or immunity, possessed, enjoyed or exercised by them or each or any of them under their respective charters, articles of incorporation, franchases, ordinance grants, licenses or permits, or for the pupose of preserving and protecting the rights and liens of their respective creditors, mortgagees, trustees or lienors or any of them or for any other purpose stated in this act; and for such purposes or any of them, the enjoyment, possession or exercise by the new or consolidated corporation of any such right, title, interests, power, privilege or immunity shall be and be deemed the enjoyment, possession or exercise of the respective original or constituent corporations; but all debts, and liabilities of such original or constituent corporations shall also attach to said new or consolidated corporation and may be enforced against it to the same extent as if they had been incurred or contracted by it.

A copy of the agreement of merger or consolidation made and adopted hereunder, authenticated by the secretary of the commission under its seal, shall be accepted in all courts of this state as sufficient evidence of such merger or consolidation and of the terms and provisions thereof.

If any stockholder of any public utility corporation merging or consolidating hereunder and not voting in favor of and not acquiescing in such merger or consolidation, objects to such merger or consolidation he shall give notice of his dissent within thirty days from the date of the stockholders meeting at which such merger or consolidation was authorized and approved, and may demand payment for his stock; and he shall thereupon and upon surrender of his certificate of stock be entitled to receive from such corporation in which he shall hold stock its fair cash value at the date of the holding of said meetings. But if such dissenting stockholder shall refuse to part with his stock, or if the value of the same cannot be agreed upon, then such corporation shall within ninety days from the date of said stockholders' meeting at which such merger or consolidation was authorized or approved, proceed to take and acquire the stock of such dissenting stockholder and the interest of such stockholder therein by the exercise of the power of eminent domain, hereby granted to such corporation for that purpose, and paying to or tendering to such dissenting stockholder or to the county treasurer of the county in which the principal place of business of such corporation is located, for his use, the value of the stock by him held, such value to be ascertained as of the time aforesaid and to be found and determined in the manner as nearly as practicable provided for the condemnation of property for public use in chapter 4 of title X of the code and the supplement to the code, 1907, and all acts amendatory thereof and supplementary thereto. Any stock so acquired shall be cancelled by the company acquiring the same.

If any stockholder in any merging or consolidated corporation hereunder shall not give notice of his dissent therefrom within thirty days

as aforesaid, he shall be held to have acquiesced in said merger or consolidation and any agreement therefor and shall be subject thereto,

Notice of every merger or consolidation made under the provisions of this section shall be published in some newspaper in the county in which the principal office of each of the merging or consolidating corporations is located, at least once in each week for three successive calendar weeks.

Any merger or consolidation under the provisions of this section shall not affect suits pending in which any of such corporations shall be a party, nor shall such merger or consolidation affect causes of action nor the rights of individuals in any particular; nor shall suits brought against any of such corporations prior to such merger or consolidation be abated for that cause.

Sec. 45. Reorganization of public utility corporations shall not be had without authorization of the commission.

Any corporation hereafter becoming the owner or assignee of the property, rights, powers, privileges, franchises, licenses and permits of any public utility by purchase under foreclosure sale, sale in bankruptcy proceedings, or any other sale under any judgment, order or decree of any court shall have, possess and enjoy such property, rights, powers, privileges, franchises, licenses and permits to the same extent and in the same manner as such public utility had or was entitled to have at the time of such purchase and sale and as provided by the laws of this state now or at any time hereafter applicable thereto.

Sec. 46. (1) The commission shall keep itself informed as to proposed legislation or action by public authorities within or without this state involving public control or regulation of public utilities subject to its supervision, and it may be represented at any public hearings thereon whenever in its opinion such representation is desirable in the interests of the people of this state.

The commission may inquire to the extent it shall deem advisable into any neglect or violation of this act or any other law of the state by any public utility doing business therein, or by the officers or employes thereof, or otherwise aid in enforcing the provisions of this act as well as all other laws relating to public utilities.

The commission may investigate to the extent it shall deem advisable whether common carriers within the state are acting in any way in violation of the interstate commerce law, and may apply by petition to the interstate commerce commission for relief, or present to the interstate commerce commission all facts coming to its knowledge in relation thereto.

The commission may also confer with, or appear before boards of other states having powers over any of the public utilities therein when in its judgment the interests of this state will be protected or promoted thereby.

The commission may in its discretion publish such studies of any matters within its jurisdiction as it may deem to be of sufficient value and public importance. It may cause to be made a compilation of the statutes of this state relating to public utilities with annotations

thereto and may submit to the general assembly for its consideration such facts and recommendations as it may deem necessary and expedient.

(2) The commission shall cause a record to be kept by its secretary of all orders and certificates of the commission and of all dealings of the commission or any commissioner with any public utility, including a transcript from stenographic notes of the testimony taken or evidence adduced at any public hearing before the commission.

This record, together with all files, books, accounts, documents, papers and memoranda of whatever description in the possession of the commission shall, except as in this act otherwise provided, be open to inspection by the public at all reasonable times under reasonable regulations prescribed by the commission; but the commission may, in its discretion, withhold such information from the public if in its judgment it shall deem publicity inadvisable.

Any act of the commssion may be proved by a copy of the record thereof attested by the secretary of the commission under its seal.

(3) The commission shall make and submit to the governor on or before the second Monday in January of each year an annual report containing such statements, statistics, maps, tabulations, facts and explanation as will disclose the actual workings of the public services described in this act in their bearing upon the business and prosperity of this state, and an account of all proceedings of the commission during the period covered by the report.

The report shall also include the names and locations of the several public utilities of the state, and such abstracts of the returns required of public utilities by this act as the commission shall deem of value to the legislature and to the people of the state, and such suggestions as to the public service policy of the state or the conditions, affairs or conduct of any public utility as may seem appropriate.

Such number of copies of such report, together with such abstracts of the reports to the commission by the public utilities in the state, as the commission shall deem desirable, in addition to the regular number prescribed by law, shall be printed as a public document of the state, bound in cloth for the use of the commission and to be distributed by it in its discretion to corporations and persons interested therein.

(4) The commission shall charge and collect the following fees:

(a) For copies of papers and records not required to be certified or otherwise authenticated by the commission, 10 cents for each folio of one hundred words.

(b) For certified copies of official documents and orders filed in its office, 15 cents for each folio, and $1.00 for every certificate under the seal of the commission affixed thereto.

(c) For certifying a copy of any report made by a corporation to the commission, $1.00.

(d) For each copy of the annual report of the commission, $1.50.

(e) For certified copies of evidence and proceedings before the commission, 15 cents for each folio.

No fee shall be charged or collected for copies of papers, records, or official documents furnished to public officers for use in their official capacity, or for the annual reports of the commission in the ordinary course of distribution or in interchange with public service commissions, libraries or legislative reference bureaus of other states; but the commission may fix reasonable charges for publications issued under its authority.

A copy of any transcript of the record of any hearing or investigation before the commission shall be furnished to any party thereto on payment of a reasonable fee therefor.

All fees charged and collected by the commission shall be paid into the treasury of the state to the credit of the public service commission fund.

Sec. 47. (1) The commission may conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice.

All hearings before the commission or any commissioner shall be governed by this act and by rules to be adopted and prescribed by the commission; but in all investigations, inquiries or hearings, the commission or commissioners shall not be bound by technical rules of legal evidence.

The commission may from time to time make or amend such general rules or orders as it may deem requisite for the order and regulation of proceedings before it.

(2) The forms of notices and services thereof shall be of substantially the same character as those in use in the district courts of this state.

(3) Any person entitled to complain before the commission or a commissioner, or whom the commission or commissioner may admit to be heard, may appear before the commission or commissioner and be heard in person or by attorney.

(4) The commission or any commissioner or the secretary of the commission or any agent duly authorized shall have power to examine witnesses, take testimony and administer oaths in all cases investigated and inquiries or examinations made by the commission or a commissioner; and to cause the depositions of witnesses residing within or without the state to be taken in such manner as the commission may by rule prescribe; and to compel by subpoenae duces tecum the production of any accounts, books, or contracts, records, documents, memoranda and papers of any kind whatever.

(5) All subpoenaes shall be signed and issued by a commissioner or by the secretary of the commission, and may be served by any person of full legal age.

(6) The fees of witnesses for attendance and travel shall be the same as for witnesses before the district courts of this state; and such fees shall be paid by the state treasurer upon the certificate of the commission filed with the state auditor. No witness fees shall be paid except to such witnesses as are subpoenaed upon order of the commission.

(7) If a person subpoenaed to attend before the commission or a commissioner fails to obey the command of such subpoena, without reasonable cause, or if any person whose deposition has been ordered taken shall refuse to subscribe and swear to his deposition after it has been correctly reduced to writing, or if a person in attendance before the commission or a commissioner refuses, without reasonable cause, to be sworn or to be examined or answer a legal and pertinent question or to produce any book or paper when ordered so to do by the commission or commissioner, the commission or commissioner may apply to any judge of a district court for an order returnable forthwith directing such person to show cause before the judge who made the order or any other judge of said district court, why he should not be punished for contempt. Upon the return of such order the judge before whom the matter shall come on for hearing shall examine under oath such person so cited, and such person shall be given an opportunity to be heard; and if the judge shall determine that such person has refused without reasonable cause or legal excuse to be examined or to answer a legal and pertinent question or to produce a book or paper which he was ordered to produce, he may forthwith deal with such person as for contempt of court and impose such punishment by way of fine or imprisonment, or both, as is now or may hereafter be provided by law for contempts.

(8) No person shall be excused from testifying or from producing any book, document or paper in any investigation or inquiry, examination, hearing or proceeding by or before the commission or a commissioner, when ordered so to do by the commission or commissioner, upon the ground that the testimony or evidence, book, document or paper required of him may tend to incriminate him or subject him to penalty or forfeiture; but no person shall be prosecuted, punished, or subjected to penalty or forfeiture for or on account of any act, transaction, matter or thing concerning which, under oath, after claiming his privilege, he shall by order of the commission or commissioner have testified or produced documentary evidence; provided, however, that no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

Nothing herein contained is intended to give or shall be construed as in any manner giving to any corporation immunity of ay kind.

Section 48. Copies of all official documents and orders filed or deposited according to law in the office of the commission, certified by a commissioner or by the secretary of the commission under its seal to be true copies of the originals shall be evidence in like manner as the originals in all courts of this state.

Sec. 49. Every order of the commission shall be served upon the person or corporation to be affected thereby, either by personal delivery or a certified copy thereof or by mailing a certified copy thereof in a sealed package with postage prepaid to the person to be affected thereby or in case of a corporation, to any officer or agent thereof upon whim a summons may be served under the laws of this state.

It shall be the duty of every such person or corporation to notify the commission forthwith in writing of the receipt of the certified copy of every order so served, and in case of a corporation such modification must be signed and acknowledged by a person or officer duly authorized by the corporation to admit such service. Within a time specified in the order of the commission every person or corporation upon whom it is served, must, if so required by the order, otify the commission in like manner whether the terms of the order are accepted and will be obeyed.

Every order of the commission shall take effet at a time therein specified and shall continue in force either for a period which may be designated therein or until changed or abrogated by the commission.

Sec. 50. (1) The commission may at any time upon notice to the person or corporation affected and after an opportunity to be heard as provided in the case of original proceedings hereunder, rescind, alter or amend any order or rule made or issued by it; and any order or rule rescinding, altering or amending any prior order or rule shall when served upon the person or corporation affected thereby have the same effect as herein provided for original orders and rules.

(2) After any order or decision has been made by the commission, any party to the action or proceeding, or any stockholder or bondholder or other party pecuniarily interested in the public utility affected, may petition for a rehearing in respect to any matters determined in said action or proceeding and specified in the petition for rehearing, and the commission may grant and hold such rehearing on said matters, if in its judgment sufficient reason therefor be made to appear. No cause of action arising out of any order or decision of the commission shall accrue in any court to any corporation or person, unless such corporation or person shall have made petition to the commission for a rehearing as herein provided. Such petition shall set forth specifically the ground or grounds on which the petitioner considers said decision or order to be unlawful. No corporation or person shall, in any court urge or rely on any ground not so set forth in said petition.

The petition for rehearing and the procedure thereafter, shall be governed by such general rules as the commission may establish; provided, however, that the petition for rehearing must be filed within twenty days after the decision by the commission is entered of record, and the parties to said case are notified of the same; and the said petition must be either granted or denied within thirty (30) days after the date on which the said petition was filed.

If said petition is not granted within said period, it may be taken by any party to said petition that the order involved is affirmed. If a petition for rehearing is granted, the same shall be heard within sixty (60) days after the same is granted, and determined within thirty (30) days from such hearing. If such determination is not made within said time it may be taken by any party to the rehearing that the order or decision involved is affirmed.

A petition for rehearing shall not excuse any corporation or person from complying with and obeying any order or decision or any requirement of any order or decision of the commission theretofore made; or

operate in any manner to stay or postpone the enforcement thereof, except in such cases and upon such terms as the commission may by order direct. If, after such rehearing and a consideration of all the facts including those arising since the making of the order or decision, the commission shall be of the opinion that the original order or decision or any part thereof, is in any respect unjust or unwarranted, or should be changed, the commission may abrogate, change or modify the same. An order or decision made after such hearing abrogating, changing or modifying the original order or decision, shall have the same force and effect as an original order or decision; but shall not affect any right or the enforcement of any right arising from, or by virtue of, the original order or decision unless so ordered by the commission.

Sec. 51. Within ninety (90) days after the petition for a rehearing is denied, or if the petition is granted, then within ninety (90) days after the rendition of the decision on rehearing, any of the parties to the proceeding so determined may apply to the district court of the county in which the controversy arose, for a writ of certiorari or review (hereinafter referred to as a writ of review) for the purpose of having the lawfulness of the original order or decision, or the order or decision on rehearing, inquired into or determined. The findings and conclusions of the commission as to fact, shall be final and shall not be subject to appeal or review by any court; such questions of fact shall include ultimate facts, findings and conclusions of the commission as to fairness, reasonableness and justness. The district court of the county, in which the controversy arises, shall have the exclusive original jurisdiction to review, reverse or annul any order or decision of the commission; but such review shall not be extended further than to determine whether the order or decision, under review, is repugnant to the constitution of the state of Iowa or to the constitution of the United States or is in excess of the statutory powers conferred upon the commission, or is not within the jurisdiction of said commission. No new or additional evidence may be introduced in the review proceedings before the district court, but the cause shall be heard on the record of the commission as certified to by it; and no reversal or annulment of the order of decision of the commission shall be had except for want of power and jurisdiction as above provided.

The commission, and each party to the action, or proceeding before the commission, shall have the right to appear in the review proceeding. Upon the hearing the district court shall enter judgment either affirming or setting aside the order or decision of the commission. The provisions and laws of this state relating to writs of certiorari shall, so far as applicable, and not in conflict with the provisions of this act, apply to proceedings instituted in the district court under the provisions of this section.

Sec. 52. Whenever any public utility corporation, incorporated under any laws other than of the state of Iowa, and doing business in this state under an indeterminate permit as herein defined shall, without the consent of the other party to any suit or proceeding brought against it in any state court in connection with, resulting from or growing out

of the findings, rules, orders or decisions of the commission, remove such suit or proceeding to any federal court, or shall institute any such suit or proceeding in any federal court against the commission, or against any person or corporation of this state, it shall be the duty of the commission forthwith to revoke the permit of such public utility corporation to transact business in the state of Iowa as provided under section sixtetn hundred thirty-seven (1637) and sixteen hundred thirty-eight (1638) of the Code and amendments thereto. Such revocation shall be certified to the secretary of state and by him published in some newspaper of general circulation published in this state.

Every public utility corporation organized under any laws other than of the state of Iowa and admitted to transact business in this state, shall within six months after the taking effect of this act or the time of its admission to transact business in the state, file with the commis sion a certified copy of a resolution of its board of directors, designating a citizen of Iowa as its agent, upon whom may be made service of any process as contemplated by this act. A failure of such corporation s to do shall entitle any party to make valid service of such process upon the secretary of state. This shall be additional to the methods of service otherwise provided by law.

Sec. 53. The district courts of this state shall have jurisdiction upon the aplication of the commission to enforce by proper decrees, injunctions and orders all valid orders, rules and rgulations of the commission.

Whenever the commission shall be of the opinion that a public utiltiy subject to its supervision is failing, omitting or refusing to do anything required of it by law or by the order of the commission, or is doing or permitting anything to be done contrary to or in violation of law or any order of the commission, it shall direct the commerce counsel to commence an action or proceeding in the district court of appropriate jurisdiction, in the name of the state on relation of the commission, for the purpose of having such violation stopped and prevented or said law or order enforced.

The final judgment in any such action or proceeding shall either dismiss the action or proceeding or dirtct that a writ of mandamus or an injunction or both issue as prayed for in the petition; or in such modified or other form as the court may determine will afford appropriate relief.

An appeal may be taken to the supreme court of this state from such final judgment in the same manner and with the same effect, subject to the provisions of this act, and within time herein precribed for other appeals, as appeals are taken from judgments of the district court in other actions for mandamus or injunction.

Sec. 54. (1) Every public utility and all officers and agents thereof, and every other person and corporation shall obey, observe and comply with every provision of this act and with every order made by the commission under authority of this act or any other act and duly served in accordance with the provisions of this act, so long as the same shall be and remain in force and effect.

(2) Any public utility or any person or corporation who or which shall violate any of the provisions of this act or who or which shall violate any order, direction or requirement of the commission, while the same shall be in force and effect, by failing, omitting or refusing to obey, observe or comply therewith, shall (in addition to liability to the party aggrieved for all damages sustained by reason of such violation) be subject to a penalty of not to exceed $1,000 for each and every such violation.

(3) Every officer and agent of a public utility or any other person, who shall wilfully violate, or who procures, aids or abets any violation by a public utility, or any corporation other than a public utility, of any provisions of this act, or who shall wilfully fail to obey, observe and comply with any order of the commission, while the same shall be in force and effect, or who procure, aids or abets any such public utility or corporation in its failure to obey, observe and comply with any such order shall be fined not more than $1,000, or imprisoned in a county jail for not more than one year, or both.

(4) Every person who shall wilfully make any false return or report to the commission or to a commissioner or to any agent or any employe acting therefor, or who shall testify or affirm falsely to any material fact in any matter herein, where oath or affirmation is required or authorized by or under this act, or who shall knowingly make any false entry or memorandum upon any account, book, paper, record, report of statement of any public utility or who shall wilfully destroy, mutilate, alter or by any other means or device falsify or destroy the record of any such account, book, paper, record, report or statement, with the intent to mislead or deceive the commission or a commissioner, or any agent or employe acting therefor, or who shall wilfully or fraudulently obstruct or hinder the commission or a commissioner or any agent or any employe acting therefor in making any examination of the accounts, affairs or conditions of any public utility, and any person who with like intent aids or abets another in any of the acts herein set forth, shall be fined not more than $1,000, or imprisoned in the county jail not more than one year, or both.

(5) In case of a continuing violation in this section mentioned, every day's continuance thereof shall be and be deemed to be a separate and distinct offense, and all penalties accruing under this act shall be cumulative, and in addition thereto, if the commission shall find upon public hearing that such public utility has been guilty of wilful and persistent violations of the provisions of this act or of the orders, rules or regulations of the commission, shall terminate the right of the owner of such public utility to operate said public utility plant, and shall apply to a court of competent jurisdiction for the appointment of a receiver, to take charge of said public utility plant, under the direction, supervision and regulation of the commission, and such receiver shall under appropriate orders and regulations make sale of such public utility plant. The municipality in which said utility is operating shall have the exclusive right for a period of ninety (90) days after order of sale

to purchase or designate a purchaser for such plant, in the manner as provided in section forty-three (43) of this act. The purchaser of such plant shall be subject to all the provisions of this act.

(6) In construing and enforcing the provisions of this act relating to forfeiture and penalties, the act of any director, officer, agent or other person acting for or employed by any public utility acting within the scope of his employment, shall be in every case and be deemed to be the act of such public utility.

(7) Any officer, agent or employe of any public utility who has notice of any order of the commission which it is the duty of any officer or employe to obey shall be deemed to abet the violation of such order, if he fails to give such instructions as it is within the scope of his duties or employment to give to such other officer or employe.

Sec. 55. Actions to recover fines and penalties under this act shall be brought by the Commerce Counsel in the name of the state of Iowa in any district court of appropriate jurisdiction in the state.

Such action shall be commenced and prosecuted to final judgment by the counsel to the commission, or otherwise as in this act provided.

In any such action all penalties incurred up to the time of commencing the same may be sued for and recovered.

In all actions for the recovery of fines and penalties hereunder, the procedure and the rules of evidence shall be the same as in ordinary civil actions.

All fines and penalties recovered in such actions, together with the costs thereof, shall be paid into the treasury to the credit of the general fund.

Any action hereunder to recover fines or penalties may be compromised or discontinued on application of the commission upon such terms as the court shall approve and order.

Sec. 56. Every sheriff or other officer empowered to execute civil processes shall execute any process issued under the provisions of this act. All actions and proceedings under this act, and all actions and proceedings commenced or prosecuted by order of the commission, and all actions and proceedings to which the commission or the people of this state may be parties and in which any question arises under this act or under the railroad law of this state or under or concerning any order or action of the commission, shall be preferred over all other civil actions, except election causes, in all courts of this state, and shall be heard and determined in preference to all other civil business pending therein, except election causes, irrespective of position on the calendar. The same preference shall be granted upon application of the Commrce Counsel in any action or proceeding in which he may be allowed to intervene.

Sec. 57. Upon the request of the commission, or any commissioner, it shall be the duty of the attorney general or the county attorney of the proper county to aid in any investigation, hearing, action, trial, appeal or prosecution under the provisions of this act, or to institute or prosecute any action or proceeding for the enforcement or carrying out of the provisions of this act.

Sec. 58. In case any public utility shall do, cause or permit to be done any act, matter or thing prohitibited or declared to be unlawful or shall

omit to do any act, matter or thing required to be done, either by any provision of this act or by an order of the commission, such public utility shall be liable to the persons or corporation affected thereby for all loss, damage or injury caused thereby or resulting therefrom; and in case of recovery if the cuort shall find that such act or omission was wilfull, it may in its discretion fix a reasonable counsel or attorney fee which shall be taxed and collected as a part of the complainant's costs in the case.

An action to recover for such loss, damage or injury may be brought in any court of competent jurisdiction in this state by any such person or corporation. Provided, that no action shall be brought hereunder by reason of any order of the commission pending any action in the courts to review, annul, vacate, modify or amend any such order.

(2) No recovery as in this section provided shall in any manner be a bar to or affect any action, criminal proceeding or recovery by the state or the commission pursuant to the provisions of this act.

Sec. 59. The provisions of this act shall be interpreted and construed liberally in order to accomplish the purposes thereof. The commission shall be deemed to have conferred upon it by this act all implied and incidental powers which may be necessary or proper to the performance of all its powers and duties in this act specified.

A substantial compliance with the requirements of this act shall be sufficient to give effect to all orders, rules, acts and regulations of the commission, and they shall not be declared inoperative, illegal or void for any omission of a technical or unsubstantial nature in respect thereto.

Neither this act nor any provision thereof shall apply or be construed to apply to commerce with foreign nations, or to interstate commerce, except in so far as permitted under the provisions of the constitution and acts of congress of the United States.

The sections of this act and the sub-divisions and paragraphs of each section are hereby declared to be independent sections and parts of sections; and the holding of any section or part of any section of this act to be void, ineffective or unconstitutional for any cause shall not affect or be deemed to affect the validity of any other portion of this act.

Sec. 60. All acts and parts of acts conflicting or inconsistent with the provisions of this act are hereby repealed in so far as they conflict or are inconsistent herewith.

Sec. 61. This act shall not have the effect to release or waive any right of action by the state or by any municipality thereof or by any person for any right, penalty or forfeiture which may have arisen under any law of this state or under ordinance or any municipality thereof, prior to the taking effect of this act; nor shall this act operate to destroy or impair any existing obligation of any public utility in the state, or the rights of the holders of any bonds or other evidences of indebtedness heretofore issued by any public utility, or of any mortgagee, trustee, or lienor under any mortgage, deed of trust, or instrument of assignment, pledge or hypothecation heretofore executed by any public utility to secure the payment of any of its bonds, notes, or other evidences of indebtedness.

Sec. 62. Nothing, however, in this section or any other section of this bill shall be held to repeal any of the provisions of section 1619 of the code, and all of the provisions of said section pertaining to franchises shall be held to apply to the indeterminate permit granted under the provisions of this act to the same extent and with the same force and effect as though said section was written into this act.

The passing of this act shall not be construed to have granted or secured to any public utility or the owners thereof any vested right and no vested right shall hereafter be claimed by any public utility or the owner thereof because of the taking effect of this act.

(2) Provided, however, that nothing in this act contained shall take away any right that any municipality may at this time have reserved in any franchise heretofore granted to any public utility, or any contract with any public utility. Nor shall the provisions of this or any other section of this act be held to effect pending litigation.

Sec. 63. (1) There is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, the sum of one hundred fifty thousand dollars for the biennial period beginning July 1, 1913, for the purpose of carrying out the provisions of this act.

(2) For the purpose of the payment of the expenses of the public utilities commission, and the exercise of police supervision of the public utilities of the state by it, a sum not exceeding $75,000.00 each year shall be apportioned among and assessed upon the railroads and public utilities within the state by the commission, in proportion to the intrastate gross earnings or receipts of such railroads and public utilities for the year next preceding that in which the assessments are made. Said assessments shall be due and payable at the same time ordinary taxes are due and payable and shall be paid to the state treasurer. Such assessments shall be a lien upon the property of the public utility against which said assessments are made. In case any such assessment is not paid before the same becomes delinquent, the same shall be subject to the penalties that ordinary taxes are in case of non-payment before delinquency, and the state treasurer shall proceed to make collection thereof by equitable proceedings in the district court in which said property is located; that when such assessments are collected the same shall be placed by the treasurer to reimburse the funds appropriated for the purpose of defraying the expenses of such commission.

Sec. 64. This act is deemed and hereby declared to be of immediate public importance, and 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.

COMMITTEE ON CONFERENCE.

L. E. CRIST,
LAMONTE COWLES,
SHERMAN W. DEWOLF,
L. E. FRANCIS,
J. F. WEBBER,
JOHN B. SULLIVAN,
On the Part of the Senate.

WM. F. STIPE,
W. F. CRAIG,
F. J. LUND,
T. F. GRIFFIN,
AL A. LENOCKER,
ALBERT HANSON,
On the Part of the House.

THIRD READING OF BILLS.

On motion of Senator Cowles, Senate File No. 386, a bill for an act relative to the granting of loan or cash surrender values on insurance contracts; and to amend the law as it appears in sections seventeen hundred thirty-nine (1739) and eighteen hundred twenty-four (1824) of the code, sections thirteen hundred thirty-three (1333), thirteen hundred thirty-three-d (1333-d), eighteen hundred six (1806), and eighteen hundred thirty-nine-l (1839-l), of the supplement to the code, 1907, section two (2) ,of chapter one hundred thirteen (113) of the acts of the Thirty-third General Assembly; and to repeal section eighteen hundred thirteen (1813) of the code, and to enact a substitute therefor, relating to insurance, was returned by the Sifting committee to the Senate, and was taken up, and considered.

Senator Cowles offered the following amendment and moved its adoption:

Strike out all after the enacting clause and insert the following:

Section 1. That no policy of life or endowment insurance providing for loan or cash surrender values thereon shall be approved, as provided by the laws of this state for issuance or delivery in this state, unless it contains a provisions that the payment of any such cash surrender value, or of any loan value other than for the purpose of paying premiums on its policies, may be deferred for a specified period, not exceeding six months, after application for such loan or surrender value is made.

Sec. 2. That the law as it appears in section seventeen hundred thirty-nine (1739) of the Code, be and the same is hereby amended by striking out the last sentence of said section and substituting in lieu thereof the following: No company operating under the provisions of this chapter shall write, place or cause to be written or placed, any policy or contract of inssurance in this state except through its resident agent or agents.

Sec. 3. That the law as it appears in section thirteen hundred thirty-three-d (1333-d) of the Supplement to the Code, 1907, be and the same is hereby amended by inserting after the words "based on", and before the words, "the actuaries", in the thirteenth (13th) line of said section the following: The standard of valuation, if any, specified in the insurance contracts, but in no case less than that according to.

Adopted.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balluff, Boe, Cowles, Crow, DeWolf, Doran, Dunnegan, Francis, Gillette, Heald, Hilsinger, Jewell, Kimball, Larrabee, Legel, Malmberg, McManus, Neal, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

Balkema, Chase, Darrah, Farr, Fellows, Garrett, Hagemann, McColl, Nye, Spaulding, Thomas, Webber—12.

Absent or not voting:

Allen, Clarkson, Crist, Jones, Mattes, Savage, Taylor, White—8.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend the title to read as follows:

"A BILL for an Act Relative to the Granting of Loan or Cash Surrender Values on Insurance Contracts; and to Amend the Law as it Appears in Section Seventeen Hundred Thirty-nine (1739) of the Code and Section Thirteen Hundred Thirty-three-d (1333-d) of the Supplement to the Code, 1907, relating to Insurance."

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended was agreed to.

Senator Crist moved that 2,000 extra copies of the Journal of April 15th, be printed.

Carried.

Senator Mattes, from the committee on Appropriations, returned to the Senate, Senate File No. 181, which was referred to the Sifting committee.

THIRD READING OF BILLS.

The time having arrived for special order, Senate File No. 407, a bill for an act to repeal chapter one hundred sixty-eight (168) of the acts of the Thirty-third General Assembly, and to enact in lieu thereof the following relating to hotels, public lodging houses and restaurants, defining the same and prescribing rules for their operation and maintenance, so as to insure the safety and health of employes and patrons of same, providing for inspection thereof, establishing a hotel commission and providing for a hotel commissioner, and for the licensing of hotel and restaurant keepers, and fixing penalties for violation of such rules and regulations, was taken up, and considered.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend Senate File No. 407, as amended, by substituting for the words "in addition to the compensation now received", in the third line of section 5, the words, "for services under this act or as hotel inspector the same compensation provided", and by striking out the words, "a salary of fifteen hundred dollars ($1,500.00) per annum", in the fourth and fifth lines of said section 5.

Also, by inserting at the end of section 6, the following: "All inspections of fire escapes, dangerous machinery and equipment of hotels which heretofore came within the duties as provided for the commissioner of labor shall be made by and such duties shall be performed by said hotel commissioner".

Also, by changing section 15 to section 13, appearing immediately after section 12, and by substituting for the figures 499-a-8, in the third line of section 13, the figures 4099-a-8.

Also, that there be added to section 1 of the said bill as amended, the following:

"The repeal of all of said act except section 13 not to become effective, however, until January 1, 1914".

Also, by adding as section 24, the following:

"The provisions of this act shall become effective January 1, 1914, except as to section 3 hereof".

Adopted.

Senator Farr was called to the chair at 4:10 P. M.

Senator Balkema offered the following amendments and moved their adoption:

I move to amend the bill by striking out section 5 and insert in lieu thereof the following:

Section 5. The dairy and food commissioner shall by virtue of his office inspect every hotel and restaurant in this state. Said commissioner may with the approval of a majority of the members of the state executive council, appoint and at its pleasure remove, one or more inspectors who shall under his direction assist in the duties imposed by the commissioner.

Each inspector shall receive not to exceed sixteen hundred dollars ($1600.00) per annum, and necessary expenses incurred while actually engaged in his work as inspector.

(2) I further move that the remainder of the bill be amended to comply with the foregoing amendment, that wherever the words "hotel commissioner" appear in the bill the words "dairy and food commissioner" be inserted in lieu thereof, and that where the word "deputy" is used in the bill the word "inspector" be inserted in lieu thereof.

(3) I move to amend the bill by striking from the bill section 4, and that the sections following be renumbered to conform herewith.

Senator Chase moved that the bill be referred to the committee on Retrenchment and Reform.

Senator Schrup moved as a substitute, that the bill be made a special order for 10 o'clock tomorrow.

Carried.

The substitute 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. 685, a bill for an act to amend the law relating to fire escapes.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator McManus, Senate File No. 444, a bill for an act to amend the law as it appears in section seven hundred and twenty-six (726) of the code of 1897, which was returned to the Senate by the Sifting committee, was taken up, and considered.

Senator McManus offered the following amendment and moved its adoption:

I move to amend the bill by striking out the word "twenty" in line five and inserting the word "fifty."

Adopted.

Unanimous consent was given to strike out the words and figures "eighteen ninety-seven (1897)" in the bill.

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 ayes were:

Ames, Arney, Balkema, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McManus, Nye, Perkins, Quigley, Sheean, Smith, Sullivan, Webber, White, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

Allen, Balluff, Boe, Chase, Clarkson, Gillette, Robinson, Schrup, Spaulding, Thomas—10.

Absent or not voting:

Cowles, Crist, Hagemann, Mattes, McColl, Neal, Ream, Savage, Taylor—9.

Senator McManus offered the following amendment to the title so same would read as follows and moved its adoption:

"A BILL for an Act to Amend the Law as it Appears in Section Seven Hundred and Twenty six (726) of the Code, Relating to the Issuance of Bonds by Cities and Towns."

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended was agreed to.

President Harding resumed the chair at 5 P. M.

On motion of Senator Francis, Senate File No. 429, a bill for an act to amend the law as it appears in section two thousand seven hundred ninety-four-a (2794-a) of the supplement to the code, 1907, as amended by chapter one hundred forty-three (143) of the acts of Thirty-fourth (34th) General Assembly relating to the organization of consolidated school districts, which was returned to the Senate by the Sifting committee, was taken up and considered.

The bill was read for information.

Senator Francis moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crow, Doran, Dunnegan, Fellows, Francis, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Nye, Perkins, Quigley, Robinson, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Chase, Cowles, Crist, Darrah, DeWolf, Farr, Garrett, Gillette, Jewell, Mattes, Neal, Ream, Savage, Schrup, Taylor, Webber—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Fellows, Senate File No. 451, a bill for an act granting additional powers to the executive council, which was returned to the Senate by the Sifting committee, was taken up, and considered.

Senator Jones offered the following amendment and moved its adoption:

"I move to amend Senate File No. 451, by adding in the 4th line of the bill after the word "government", the words "and including cities acting under special charter".

Adopted.

The bill was read for information.

Senator Fellows moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Perkins, Quigley, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, Crist, DeWolf, Kimball, Neal, Nye, Ream, Savage, Taylor, White—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Chase, House File No. 302, a bill for an act to amend the law relating to the sale of concentrated feeding stuffs, as it appears in section five thousand seventy-seven-a-8 (5,-

077-a-8) of the supplement to the code, 1907, which was returned to the Senate by the Sifting committee, was taken up and considered.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend House File 302, by renumbering section 2, as section 4, and by inserting after the section one the following sections:

Sec. 2. That section five thousand seventy-seven a-9 (5077 a-9) of the Supplement to the Code, 1907, be and the same is hereby amended by inserting after the words "feeding stuffs", in the second, fifth, and ninth lines thereof, the words "and all medicinal preparations intended for animals."

Sec. 3. That section five thousand seventy-seven a-11 (5077 a-11) of the Supplement to the Code, 1907, be and the same is hereby amended by inserting after the words "feeding stcffs" in the third, sixth and fourteenth lines thereof the words, "and all medicinal preparations intended for animals".

Lost.

The bill was read for information.

Senator Chase moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Balkema, Clarkson, Perkins, Robinson—4.

The nays were:

Ames, Arney, Balluff, Chase, Cowles, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett. Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McManus, Nye, Quigley, Schrup, Sheean, Smith, Spaulding, Webber, White, Wilson of Appanoose, Wilson of Clinton—32.

Absent or not voting:

Allen, Boe, Crist, DeWolf, Farr, Francis, Mattes, McColl, Neal, Ream, Savage, Sullivan, Taylor, Thomas—14.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Francis, from the committee on Judiciary, returned to the Senate, Senate File No. 257, which was referred to the Sifting committee.

Journal of April 14th was taken up, corrected and approved.

Senator Larrabee offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Whereas, our state has no flag known as the afficial flag of Iowa,

Resolved by the Senate, the House concurring, that the governor, the adjutant general, and the curator of historical collections be and they are hereby created a commission to inquire into and report to the Thirty-sixth General Assembly upon the expediency of the adoption of an official state flag and upon the appropriateness of the design therefor if they approve of the same.

Senator Larrabee moved the adoption of the report.

Adopted.

HOUSE MESSAGES CONSIDERED.

House File No. 685, a bill for an act to amend the law relating to fire escapes as the same appears in section forty-nine hundred ninety-nine-a-seven (4999-a-7) supplement to the code, 1907.

Read first and second time and referred to Sifting committee.

House File No. 326, a bill for an act making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission.

Read first and second time and referred to committee on Appropriations.

House File No. 327, a bill for an act making an appropriation to enable the state railroad commission to investigate and prepare cases affecting Iowa intrastate rates and service.

Read first and second time and referred to committee on Appropriations.

House File No. 170, a bill for an act to encourage the dairy and beef cattle growing industries of the state of Iowa and to aid in providing instruction in practical and scientific methods and making an appropriation therefor.

Read first and second time and referred to committee on Appropriations.

House File No. 687, a bill for an act to repeal sections twenty-eight hundred twenty-three-j (2823-j), twenty-eight hundred twenty-three-k (2823-k), twenty-eight hundred twenty-three-l (2823-l), and twenty-eight hundred twenty-three-m (2823-m), supplement to the code, 1907, and enact a substitute therefor.

Read first and second time and referred to Sifting committee.

House File No. 104, a bill for an act to provide additional chairs in the college of homeopathic medicine of the State University of Iowa, additional to chapter 168 of the acts of the Sixteenth General Assembly.

Read first and second time and referred to Sifting committee.

House File No. 201, a bill for an act establishing the state colony for epileptics and making an appropriation for the purchase of land and the erection of buildings for said colony.

Read first and second time and referred to committee on Appropriations.

House File No. 295, a bill for an act to provide for the care and treatment of indigent children under the direction of the state board of control, and to make an appropriation therefor.

Read first and second time and referred to committee on Appropriations.

Senate File No. 510, a bill for an act to amend the law as it appears in section one thousand five hundred thirty-two (1532), supplement to the code, 1907, as amended by the acts of the Thirty-third General Assembly, relative to the establishment of road districts for state lands and providing for the payment of the cost of maintaining roads therein and the collection of road poll tax within such districts.

HOUSE SUBSTITUTE AMENDMENT FOR SENATE FILE NO. 510.

A BILL for an Act to Amend the Law as it Appears in Chapter Ninety-three (93) of the Acts of the Thirty-Third General Assembly, Relative to the Establishment of Road Districts for State Lands and Providing for the Payment of the Cost of Maintaining Roads Therein and the Collection of Road Poll Tax Within Such Districts.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section two of chapter ninety-three (93) of the acts of the Thirty-third General Assembly be amended by striking out the last paragraph therein and inserting in lieu thereof the following:

"That all roads and highways within ad adjacent to lands belonging to the state, including those under the supervision of the state board of education, shall constitute a separate road district under the control and supervision of the supervisor appointed by the board of control of state institutions with all the powers, duties and responsibilities imposed upon road supervisors, who shall require all able-bodied males, other than inmates of state institutions, residing within such district, to perform the labor required by the provision of section one thousand five hundred fifty (1550) and section one thousand five hundred fifty-one (1551) of the Supplement to the Code, 1907, and section one thousand five hundred fifty-two (1552) of the Code, upon the road of the district within the counties where such persons reside.

The supervisor shall make a report to the board of control under the provisions of section one thousand five hundred fifty-four (1554) of the Supplement to the Code, 1907, so far as applicable.

If it appears from such report that any person has failed to perform the two days labor required, or any part thereof, and that the supervisor has neglected to collect the amount of money required to be paid in case of such default, the board of control shall certify the name of such person and the amount due from such person to the county auditor of the county where such person resides, who shall enter the amount on the property tax list as against such person and the treasurer of the county shall collect the same and when collected shall pay the amount so collected to the board of control of state institutions, who shall expend same upon the roads of the state district in the county where such money was collected.

All costs of maintaining, repairing, renewing and improving the roads within the road district containing state lands, except county bridges, after the expenditure of the road poll tax, either in money collected or in labor, shall be paid out of any general funds in the hands of the state treasurer, not otherwise appropriated, upon warrants drawn by the state auditor after certificate of amount due shall have been filed in his office by the board of control.

Passed on file.

Senate File No. 289, a bill for an act to amend the law as it appears in section twenty-four hundred seventy-two (2472) of the supplement to the code, 1907, and section twenty-four hundred seventy-four (2474) of the code, and to repeal section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and chapter one hundred forty-four (144) of the acts of the Thirty-third (33) General Assembly amendatory to section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and to enact a substitute therefor, all relating to the bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof.

HOUSE AMENDMENT.

By striking out the word and figure "four (4)" in line ten of section three and insert in lieu thereof the word and figure "three (3)"; further amend section three by striking out in the last line thereof the words and figures "forty-five hundred dollars ($4500.00)" and insert in lieu thereof the words and figures "three thousand dollars ($3,000.00)".

Passed on file.

INTRODUCTION OF BILLS.

By committee on Appropriations, Senate File No. 557.

A BILL for an Act Making an Emergency Appropriation for the Iowa State College of Agriculture and Mechanic Arts.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the Iowa state college of agriculture and mechanic arts, the sum of one hundred and twenty-five thousand dollars ($125,000.00), as an emergency fund to be used as an additional fund for the construction of a chemistry building and the equipment of the same, and the purchase of laboratory supplies. Not to exceed twenty-five thousand dollars ($25,000.00) of said sum shall be used for equipment and laboratory supplies.

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 Des Moines.

Introduced and ordered printed in the Journal.

Senator Gillette 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, APRIL 16, 1913.

Senate met in regular session at 9 o'clock a. m., President Harding presiding.

Prayer was offered by Rev. A. R. Miller, Coin, Iowa.

PETITIONS AND MEMORIALS.

Senator Balkema presented a remonstrance of citizens of Sioux county, protestng against House File 262 and Senate File 131.

Referred to committee on Schools.

Senator Ream presented a remonstrance of citizens of Mahaska county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Neal presented a remonstrance of citizens of Board of Independent District No. 6, Wayne township, Henry county, opposing any change in the school text book laws.

Referred to committee on Schools.

Senator Fellows presented a remonstrance of citizens of Allamake county opposing county uniformity of text books.

Referred to committee on Schools.

Senator Larrabee presented a remonstrance of citizens of Webster county opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Larrabee presented a remonstrance of citizens of Duncombe, Iowa, protesting against any change in the school text book law.

Referred to committee on Schools.

Senator Darrah presented a remonstrance of citizens of Oakley, Iowa, opposing the passage of House File No. 262 and Senate File No. 131.

Referred to committee on Schools.

MESSAGES FROM THE HOUSE.

The following messages were received from the Senate:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 610, a bill for an act to repeal sections 2157-l, 2157-m, 2157-n of the Supplement to the Code, 1907, provided for scales and the weighing of commodities, transported in car load lots.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 691, a bill for an act providing that on and after July 1, 1913, all annual appropriations made to the state university, the Iowa state college of agriculture and mechanic arts, the Iowa state teachers college and the college for the blind shall be paid in monthly installments.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 692, a bill for an act to amend the law relating to the construction of street improvemets, sewers, etc., as the same appears in section 812 of the Code.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 329, a bill for an act to encourage corn and small grain growing in the state of Iowa and to aid in conducting an exposiiton of the grain growers of the state and to make an appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 130, a bill for an act to amend section 1076, Supplement to the Code, 1907, relating to registration of voters.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 263, a bill for an act to empower private cemetery associations to condemn land for additions to their cemeteries.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended an dpassed the following bill in which the concurrence of the House was asked:

Senate File No. 508, a bill for an act to amend ection 836 of the Code, in reference to re-assessmnt for local improvmets.

A. C. GUSTAFSON,
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. 517, a bill for an act repealing section 2024-l of the Supplement to the Code of 1907 and enacting a substitute, providing for condemnation of land where gravel or other suitable material for road improvement can be had and roads leading thereto requiring boards of supervisors to condemn said land, making said material accessible for general use for road improvement and providing punishment for use of said material for any other than road purposes.

A. C. GUSTAFSON,
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. 536, a bill for an act to amend the law as it appears in section 33, chapter 72 of the acts of the Thirty-fourth General Assembly, providing for the expenditure of registration fees of motor vehicles.

A. C. GUSTAFSON,
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. 229, a bill for an act to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organizations, etc., during the state G. A. R. encampment, at Des Moines, Iowa.

A. C. GUSTAFSON,
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 to amend chapter 62 of the acts of the Thirty-fourth General Assembly relating to the exemption from taxation of property of an honorably discharged Union soldier or sailor of the Mexican war or war of the rebellion.

A. C. GUSTAFSON,
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 concurrece of the House was asked:

House File No. 340, a bill for an act to amend section 1072, 2742, and 1272, Supplement to the Code, 1907, relating to the office of county superintendent; to repeal section 2734-b, Supplement to the Code, 1907, relating to county superintendent of schools and to provide for election qualifications etc., of county superintendent of schools.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House concurs in Senate amendments to Joint Resolution No. 10, in which the concurrence of the House was asked:

House Joint Resolution No. 10, joint resolution amending Senate Joint Resolution No. 1 of the Thirty-fifth General Assembly relating to the compensation of additional employees of the Thirty-fifth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns as requested:

House File No. 334, a bill for an act to provide for the planting, care and protection of ornamental and shade trees, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution relative to directing the adjutant general to send copies of volumes 3 and 4 of roster of Iowa soldiers to John Koolbeck of Harlan, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns without change:

Senate File No. 539, a bill for an act to amend section 2448-9, of the Supplement to the Code, 1907, regulating the hours of the day during which liquor may be sold in saloons.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

Senate File No. 357, a bill for an act to amend chapter sixty-two (62) of the acts of the Thirty-fourth General Assembly by striking out the last four (4) lines of section one (1) of said chapter and enacting a substitute therefor relating to the exemption from taxation of property of an honorably discharged union soldier or sailor of the Mexican war or of the war of the rebellion or of the widow of such soldier or sailor.

Read first and second time.

Senator Smith moved that the Senate concur in the following House amendments:

Insert after the word "designated" in line 11 of section 1, the words "and owned."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Ames, Arney, Balkema, Balluuff, Boe, Clarkson, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Jewell, Legel, Malmberg, McColl, McManus, Neal, Nye, Ream, Robsinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, Crow, DeWolf, Francis, Heald, Hilsinger, Jones, Kimball, Larrabee, Mattes, Perkins, Quigley, Savage, Thomas, Webber, White—18.

So the House amendments having received a constitutional majority were declared concurred in.

Senate File No. 536, a bill for an act to amend the law as it appears in section thirty-three (33)) chapter seventytwo (72), acts of the Thirty-fourth General Assembly, providing for the expenditure of registration fees of motor vehicles.

Senator Balkema moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS TO SENATE FILE NO. 536.

That there be inserted between the words "treasury" and "pursuant" in the fifth and sixth lines of section one the following, "on and after January 1, 1913."

That the words "maintenance fund" in the twelfth and thirteenth lines of section one be stricken out and "eight per cent" be inserted in lieu thereof.

That the words "as herein provided" in the thirteenth line of said section one be stricken out and the following inserted in lieu thereof, "as a maintenance for said state highway commission."

Also by adding the publication clause as section 2.

On the question, "Shall the Senate concur in the House amendments?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Jewell, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:
None.

Absent or not voting:

Allen, Chase, Cowles, Crist, Crow, DeWolf, Farr, Hagemann, Heald, Hilsinger, Jones, McManus, Perkins, Savage, Spaulding, Thomas, Webber, White—18.

So the House amendments having received a constitutional majority were declared concurred in.

Senate File No. 508, a bill for an act to amend section eight hundred thirty-six (836) of the code, 1897, in reference to reassessment for local improvements.

Senator Clarkson moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT.

That "1897" be stricken out of the second and thirteenth lines of section one. Also the title.

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkscon, Darrah, Doran, Dunnegan, Farr, Fellows, Gillette, Hagemann, Jewell, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, Crist, Crow, DeWolf, Francis, Garrett, Heald, Hilsinger, Jones, Savage, Thomas, Webber, White—15.

So the House amendment having received a constitutional majority was declared concurred in.

Senate File No. 229, a bill for an act to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organizations and in the navy from Iowa during the civil war at a home coming during the state G. A. R. encampment at Des Moines, Iowa.

Senator Malmberg moved that the Senate concur in the following House amendments:

Amend section 1 by striking out fifteen hundred dollars ($1500.00) and insert in lieu thereof the following: "three thousand dollars ($3000.00.)"

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Smith, Spaulding, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Cowles, Crist, DeWolf, Farr, Francis, Heald, Hilsinger, Jewell, Jones, McManus, Schrup, Sheean, Thomas, Webber, White—15.

So the House amendment having received a constitutional majority was declared concurred in.

Senate File No. 517, a bill for an act repealing section 2024-l of the supplement of the code of Iowa of 1907, and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material accessible for general use for road improvement and providing punishment for use of said material for other than road purposes.

Senator Allen moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT

That abbreviation and figure "sec. 2" which appears in the fourth line of section 1 be stricken out, and that section 3 be numbered section 2; section 4 be numbered section 3; section 5 be numbered section 4, and section 6 be numbered section 5.

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Cowles, Crist, DeWolf, Farr, Francis, Heald, Hilsinger, McManus, Perkins, Quigley, Schrup, Thomas, Webber, White—14.

So the House amendments having received a constitutional majority was declared concurred in.

HOUSE CONCURRENT RESOLUTION.

Whereas, John Koolbeck of Harlan, Iowa, an honorably discharged union soldier of the civil war, a member of Co. F, 4th cavalry, is entitled to volumes 3 and 4 of the roster of Iowa soldiers, sailors and marines, in accordance with chapter 202 of the acts of the Thirty-fourth General Assembly, and

Whereas, The said volumes have been sent to the said John Koolbeck in accordance with law, and

Whereas, The said volumes have since been lost or stolen, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that the adjutant general be authorized and directed to send duplicate copies of volumes 3 and 4 of the roster of Iowa soldiers to John Koolbeck, Harlan, Iowa.

Senator Neal offered the following amendment and moved its adoption:

I move to amend by inserting the name of Captain J. J. Kellogg.

Withdrawn.

Senator Smith moved that the Senate concur in the resolution.

Carried.

HOUSE MESSAGES CONSIDERED.

House File No. 610, a bill for an act to repeal sections two thousand one hundred and fifty-seven-l (2157-l), two thousand one hundred and fifty-seven-m (2157-m), two thousand one hundred and fifty-seven-n (2157-n), of the supplement to the code, 1907, 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, and enact a substitute therefor.

Read first and second time and referred to Sifting committee.

House File No. 691, a bill for an act providing that on and after July 1, 1913, all annual appropriations made to the state university, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers' College and the College for the Blind shall be paid in monthly installments.

Read first and second time and referred to Sifting committee.

House File No. 692, a bill for an act to amend the law relating to the construction of street improvements, sewers, etc., as the same appears in section eight hundred twelve (812) of the code.

Read first and second time and referred to Sifting committee.

House File No. 329, a bill for an act to encourage corn and small grain growing in the state of Iowa and to aid in conducting an exposition and convention of the grain growers of the state and to make an appropriation therefor.

Read first and second time and referred to committee on Appropriations

THIRD READING OF BILLS.

On motion of Senator Gillette, Senate File No. 510, a bill for an act to amend the law as it appears in Chapter ninety-three (93) of the acts of the Thirty-third General Assembly, relative to the establishment of road districts for state lands and providing for the payment of the cost of maintaining roads therein and the collection of road poll tax within such districts, was taken up, and considered.

Senator Gillette moved that the Senate concur in the following House amendments:

HOUSE SUBSTITUTE AMENDMENT FOR SENATE FILE NO. 510.

A Bill for an Act to Amend the Law as It Appears in Chapter Ninety-Three (93) of the Acts of the Thirty-third General Assembly, Relative to the Establishment of Road Districts for State Lands and Providing for the Payment of the Cost of Maintaining Roads Therein and the Collection of Road Poll Tax Within Such Districts.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section two of chapter ninety-three (93) of the acts of the Thirty-third General Assembly be amended by striking out the last paragraph therein and inserting in lieu thereof the following:

"That all roads and highways within and adjacent to lands belonging to the state, including those under the supervision of the state board of education, shall constitute a separate road district under the control and supervision of the supervisor appointed by the board of control of state institutions with all the powers, duties and responsibilities imposed upon road supervisors, who shall require all able-bodied males, other than inmates of state institutions, residing within such district, to perform the labor required by the provision of section one thousand five hundred firty (1550) and section one thousand five hundred fifty-one (1551) of the Supplement to the Code, 1907, and section one thousand five hundred fifty-two (1552) of the Code, npon the roads of the district within the counties where such persons reside.

The sueprevisor shall make a report to the board of control under the provisions of section one thousand five hundred fifty-four (1554) of the Supplement to the Code, 1907, so far as applicable.

If it appears from such report that any person has failed to perform the two days labor required, or any part thereof, and that the supervisor has neglected to collect the amount of money required to be paid in case of such default, the board of control shall certify the

name of such person and the amount due from such person to the county auditor of the county where such person resides, who shall enter the amount on the property tax list as against such person and the treasurer of the county shall collect the same and when collected shall pay the amount so collected to the board of control of state institutions, who shall expend same upon the roads of the state district in the county where such money was collected.

All costs of maintaining, repairing, renewing and improving the roads within the road district containing state lands, except county bridges, after the expenditure of the road poll tax, either in money collected or in labor, shall be paid out of any general funds in the hands of the state treasurer, not otherwise appropriated, upon warrants drawn by the state auditor after certificate of amount due shall have been filed in his office by the board of control.

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crow, DeWolf, Doran, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Kimball, Malmberg, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Shecan, Smith, Spaulding, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, Crist, Darrah, Dunnegan, Farr, Francis, Heald, Jones, Larrabee, Legel, Mattes, McManus, Savage, Schrup, Taylor, Webber, White—19.

So the House amendments having received a constitutional majority were declarred concurred in.

On motion of Senator Boe, House File No. 413, a bill for an act to amend the law as it appears in section twenty-eight hundred six (2806), supplement to the code, 1907, and chapter one hundred eighty-two (182) of the acts of the Thirty-third General Assembly, relating to school taxes and to increase the amount that may be levied in the teacher's fund and the contingent fund, which was returned to the Senate by the Sifting committee, was taken up, and considered.

Senator Boe 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?"

Senator Hilsinger was called to the chair at 9:50.

The ayes were:

Arney, Balkema, Balluff, Boe, Crow, Darrah, DeWolf, Farr, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Perkins, Ream, Robinson, Sheean, Smith, Thomas, Wilson of Appanoose—28.

The nays were:

Doran—1.

Absent or not voting:

Allen, Ames, Chase, Clarkson, Cowles, Crist, Dunnegan, Francis, Heald, Jewell, Jones, Mattes, Quigley, Savage, Schrup, Spaulding, Sullivan, Taylor, Webber, White, Wilson of Clinton—21.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Hagemann, House File No. 583, a bill for an act to amend the law as it appears in section thirty-three hundred forty-eight (3348) of the code, relating to the payment of claims against the estates of decedents, which was returned to the Senate by the Sifting committee, was taken up, and considered.

The bill was read for information.

Senator Hagemann moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Balkema, Balluff, Boe, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Gillette, Hagemann, Hilsinger, Jewell, Kimball, Malmberg, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Spaulding, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—27.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Chase, Clarkson, Cowles, Crist, Crow, Francis, Garrett, Heald, Jones, Larrabee, Legel, Mattes, McColl, McManus, Savage, Schrup, Smith, Taylor, Webber, White—23.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Wilson of Clinton, House File No. 528, a bill for an act to amend the law as it appears in section two (2) of chapter seventy (70) acts of the Thirty-fourth (34) General Assembly, relating to the dragging of public roads, which was returned to the Senate by the Sifting committee, was taken up, and considered.

The bill was read for information.

Senator Wilson moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balluff, Boe, Cowles, Crow, DeWolf, Doran, Farr, Gillette, Hilsinger, Legel, McManus, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Sullivan, Wilson of Appanoose, Wilson of Clinton—21.

The nays were:

Allen, Balkema, Darrah, Fellows, Garrett, Hagemann, Jewell, Kimball, Larrabee, Malmberg, Mattes, McColl, Nye, Taylor—14.

Absent or not voting:

Ames, Chase, Clarkson, Crist, Dunnegan, Francis, Heald, Jones, Neal, Schrup, Smith, Spaulding, Thomas, Webber, White—15.

So the bill having failed to receive a constitutional majority was declared lost.

The Sifting committee returned to the Senate, House File No. 588.

On motion of Senator Garrett, House File No. 588, a bill for an act to amend section twenty-five hundred and forty (2540) of the code and twenty-five hundred and forty of the supplement to the code, 1907, relating to taking fish by use of spear, except during certain months, was taken up, and considered.

The bill was read for information.

Senator Garrett moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Francis, Garrett, Gillette, Hilsinger, Kimball, Larrabee, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Shecan, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Chase, Clarkson, Crist, Fellows, Hagemann, Heald, Jewell, Jones, Legel, McColl, Savage, Webber, White—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, Senate File No. 556.

On motion of Senator Balkema, Senate File No. 556, a bill for an act to amend an act passed by the Thirty-fifth General Assembly and approved on the third day of April, 1913, and entitled, "a bill for an act to create a state highway commission and to

provide for the appointment, term of office, compensation, powers, and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge, and culvert construction and maintenance and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employes with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section twenty-six hundred seventy-four-f (2674-f), supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to county road building fund and to repeal all acts and parts of acts in conflict with this act", was taken up, and considered.

The bill was read for information.

Senator Balkema moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Chase, Clarkson, Cowles, Crist, Farr, Francis, Heald, Jewell, Jones, Legel, Perkins, Savage, Taylor, Webber, White—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The time for special order having arrived, Senate File No. 407, a bill for an act to repeal chapter one hundred sixty-eight (168)

of the acts of the Thirty-third General Assembly, and to enact in lieu thereof the following relating to hotels, public lodging houses and restaurants, defining the same and prescribing rules for their operation and maintenance, so as to insure the safety and health of employes and patrons of same, providing for inspection thereof establishing a hotel commission and providing for a hotel commissioner, and for the licensing of hotel and restaurant keepers, and fixing penalties for violation of such rules and regulations, was taken up, and considered.

The amendment offered by Senator Balkema was adopted.

Senator Francis offered the following amendment and moved its adoption:

I move to amend section 13 by striking therefrom lines 17 and 18.

I move to amend section 19 by striking out the period at the close of said section, substituting a comma therefor, and adding the following, "but shall so apply until such approval is given by the commissioner."

Adopted.

Senator Kimball 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 ayes were:

Balkema, Crist, Darrah, DeWolf, Farr, Fellows, Kimball, Larrabee, Neal, Nye, Perkins, Ream, Savage, Sheean, Smith, Spaulding, Sullivan, White—18.

The nays were:

Ames, Crow, Doran, Dunnegan, Garrett, Gillette, Hilsinger, Jewell, Malmberg, Mattes, Quigley, Robinson, Schrup, Thomas, Wilson of Appanoose—15.

Absent or not voting:

Allen, Arney, Balluff, Boe, Chase, Clarkson, Cowles, Francis, Hagemann, Heald, Jones, Legel, McColl, McManus, Taylor, Webber, Wilson of Clinton—17.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Thomas moved that Senator Arney be excused from voting.

Carried.

CONCURRENT RESOLUTION CONSIDERED.

Senator DeWolf called up for consideration the concurrent resolution relative to representation of the state of Iowa and the city of Waterloo, Iowa, at the Panama-Pacific International Exposition to be held at San Francisco, California, celebrating the opening and commercial use of the Panama canal.

Senator DeWolf moved the adoption of the resolution.

The resolution was unanimously adopted.

THIRD READING OF BILLS.

On motion of Senator Sullivan, Senate File No. 289, a bill for an act to amend the law as it appears in section twenty-four hundred seventy-two (2472), of the supplement to the code, 1907, and section twenty-four hundred seventy-four (2474) of the code, and to repeal section twenty-four hundred seventy-seven (2477), of the supplement to the code, 1907, and chapter one hundred forty-four (144) of the acts of the Thirty-third (33) General Assembly, amendatory to section twenty-four hundred seventy-seven (2477), of the supplement to the code, 1907, and to enact a substitute therefor, all relating to the bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof, was taken up, and considered.

Senator Sullivan moved the Senate concur in the following House amendments.

HOUSE AMENDMENT.

By striking out the word and figure "four (4)" in line ten of section three and insert in lieu thereof the word and figure "three (3)"; further amend section three by striking out in the last last line thereof the words and figures, "forty-five hundred dollars ($4,500.00)" and insert in lieu thereof the words and figures, "three thousand dollars ($3,000.00)."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Perkins—1.

The nays were:

Ames, Arney, Balkema, Balluff, Boe, Darrah, DeWolf, Doran, Fellows, Garrett, Hagemann, Hilsinger, Jewell, Mattes, Neal, Nye, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—26.

Absent or not voting:

Allen, Chase, Clarkson, Cowles, Crist, Crow, Dunnegan, Farr, Francis, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Quigley, Savage, Taylor, Thomas, Webber —23.

So the Senate refused the concur in House amendments.

The Sifting committee returned to the Senate, House File No. 670.

On motion of Senator Arney, House File No. 670, a bill for an act to repeal section twenty-six hundred six (2606) of the supplement to the code, 1907, and to enact a substitute therefor relating to admission to soldiers' home, was taken up, and considered.

Senator Arney 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Larrabee, Malmberg, McColl, Neal, Nye, Perkins, Quigley, Ream, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton —35.

The nays were:

None.

Absent or not voting:

Allen, Chase, Clarkson, Cowles, Crow, Francis, Heald, Kimball, Legel, Mattes, McManus, Robinson, Savage, Taylor, Webber—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 161.

On motion of Senator DeWolf, House File No. 671, a bill for an act to authorize the construction of a business men's coliseum and convention hall over the Cedar river in the city of Waterloo, Iowa, was taken up, and considered.

The bill was read for information.

Senator DeWolf moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, McColl, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Allen, Chase, Clarkson, Francis, Heald, Legel, Malmberg, Mattes, McManus, Perkins, Savage, Taylor, Webber—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Neal, Senate File No. 252, a bill for an act to amend the law as it appears in sections eighty-six (86), ninety-eight (98), one hundred fifteen (115), and two hunderd eleven (211) of the code, and sections twenty-six hundred and twenty-seven (2627) and two hundred five (205), supplement to the code, 1907, relating to the compensation of the secretary of state, the auditor of state, the treasurer of state, the attorney general, the superintendent of public instruction and the clerk of the supreme court, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Neal moved that the substitute for the original bill be adopted.

Adopted.

Senator Thomas by unanimous consent withdrew the substitute offered by the committee on compensation of public officers.

The bill was read for information.

Senator Neal moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Balkema, Cowles, Crist, Crow, Darrah, DeWolf, Fellows, Francis, Gillette, Hagemann, Hilsinger, Kimball, Mattes, Neal, Perkins, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—27.

The nays were:

Chase, Doran, Garrett, Larrabee, Malmberg, Nye, Quigley, White—8.

Absent or not voting:

Ames, Arney, Balluff, Boe, Clarkson, Dunnegan, Farr, Heald, Jewell, Jones, Legel, McColl, McManus, Taylor, Webber—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

INTRDOUCTION OF BILLS.

By Sifting committee, Senate File No. 558.

A Bill for an Act to Provide for the Transfer of Judges from One Judicial District to Another in Certain Cases.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. When, from any cause, the business of the district court of any judicial district of this state can not be disposed of within a reasonable time by the judges elected witin and for such district, then upon the filing of a petition signed by five or more resident attorneys of such district with the clerk of the supereme court, addressed to the chief justice thereof, setting forth the facts, the chief justice, being satisfied that the business of such judicial district demands an additional judge for a temporary period of time to dispose of such business or assist in the disposal of sch business, shall name and transfer a judge from some other judicial district where the business of such district will warrant, to the place in the judicial district for which such petition is filed, who shall hold a term of court for such length of time as the chief justice of the supreme court may determine. The judge so transferred, shall be allowed and paid all reasonable and actual expenses while in the performance of his duties in said temporary character, in addition to his salary.

Sec. 2. Upon the order being made for the transfer of such judge as contemplated by this act, such order shall be filed in the office of the clerk of the district court of the county where such judge shall hold a term or part thereof; thereupon the proper officers, as by statute provided, shall proceed and are hereby empowered as by statute provided, shall proceed and are hereby empowered as by statute provided to draw a grand jury and trial jury, if necessary, which shall have the same force and effect as if drawn for a regular term and upon the order of a judge elected for such district in the usual and ordinary transaction of business of such district.

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 ordered printed in the Journal.

By Sifting committee, Senate File No. 559.

A Bill for an Act for the Purpose of Having a Patent Issued in the Name of Charles Martin for a Certain Tract of Land.

Whereas, on the 1st day of May, 1886, one M. L. Phillips obtained a warranty deed from Loren and Frank Thompson, both unmarried, for the west half of the northeast quarter of the northwest quarter (W½ N. E. ¼ N. W. ¼) of section No. thirty-five (35) township No.

seventy-five (75), range No. fourteen (14), west of 5th P. M., in Mahaska county, Iowa, said Loren and Frank Thompson having an unbroken title from their grantors back to the United States; and,

Whereas, on the 1st day of May, 1886, said M. L. Phillips, an unmarried man, borrowed from the permanent school fund of Mahaska county, the sum of two hundred dollars, ($200.00) and to secure the payment thereof executed to Mahaska county, Iowa, for the benefit of the school fund of said county, a first mortgage on the west half of the northeast quarter of the northwest quarter, (W. ½ N. E. ¼ N. W. ¼) of section No. thirty-five (35), township No. seventy-five (75) range No. fourteen (14), west of 5th P. M., Mahaska county, Iowa, securing a promissory note, with interest, for said amount, due five years after date, with interest thereon at the rate of eight per cent per annum, payable on the 1st day of January: and,

Whereas, said mortgagor having defaulted in the payment of the interest on raid loan, for over four years, said mortgage was foreclosed, as required by law, in the district court of Iowa, in and for Mahaska county, by decree entered therein in equity cause No. 6383, on the 2nd day of December, 1890: and,

Whereas, thereafter said premises, to-wit: west half of the northeast quarter of the northwest quarter (W½ N.E.¼ N.W.¼) of section No. thirty-five (53), township No. seventy-five (75), range No. fourteen (14) west of 5th P. M., Mahaska county, Iowa, was sold under execution issued on said judgment and decree, to said Mahaska county, Iowa, for the full amount of principal and interest then due on said loan, together with the costs of said foreclosure proceedings, and a certificate of purchase issued by the sheriff of said county to said purchaser; and,

Whereas, still later, there being no redemption made from said sale, a sheriff's deed of said premises was in due form of law executed to said Mahaska county, Iowa, on the 26th day of April, 1892: and,

Whereas, subsequent to said sale under execution, the permanent school fund of said county was duly credited in full for the aggregate principal and interest then due on said loan, thereby making said school fund whole in all respects, and preserving the same from any and all loss: and,

Whereas, thereafter, on the day of November session, 1891, said Mahaska county, through its board of supervisors, and upon the assumption that the title to said tract was absolutely in said county, entered into a contract with one F. M. Rogers, to sell said tract to him on the payment of three hundred sixty dollars, ($360) payable in payments of fifty dolars ($50.00) each, he to have five years to pay the same, with interest at the rate of eight per cent per annum: and,

Whereas, said Mahaska county, Iowa, through its board of supervisors failed to execute and deliver to said F. M. Rogers a deed for said land: and,

Whereas, F. M. Rogers and his wife, Rachal A. Rogers, on the 30th day of November, 1891, executed a note for the sum of three hundred sixty dollars ($360.00), and to secure said note, which was for the purchase price, executed, to Mahaska county, Iowa, a first mortgage on the said described property, to-wit; west half of the northeast quarter of the northwest quarter (W½ NE¼ NW¼) of section No. thirty-five (35), township No. seventy-five (75), range No. fourteenn (14), west of the 5th P. M., Mahaska county, Iowa, said note being due November 30th 1896, with interest thereon at the rate of eight per annum, payable annually: and,

Whereas, said note and mortgage given by said F. M. Rogers, having been duly paid, with interest, for more than ten years, as shown by the records of the auditor of Mahaska county, Iowa: and,

Whereas, since last described mortgage to Mahaska county, the following goodfaith sale and conveyance of said premises has been made, viz: F. M. Rogers and his wife, Rachel A. Rogers, sold and conveyed the same to Charles Martin, who is the present owner in fee of said real estate; and

Whereas, doubts have now arisen as to the legality of said sale and conveyance by the said sheriff of Mahaska county, and as to whether under the school fund laws of this state at that time, the title to said premises should not have been regarded as vesting in the county of Mahaska, state of Iowa, under said sheriff's deed, thereby necessitating a resale of said premises in the same manner as other school lands belonging to the state: now,

Therefore, in order to clear the apparent cloud resting upon said premises and the titlte thereto.

Be it Enacted by the General Assembly of the State of Iowa:

Sec. 1. The governor of the state and the secretary of state are hereby authorized to issue to Charles Martin, upon investigation as to the facts set forth in the foregoing preamble, a patent for the west half of the northeast quarter of the northwest quarter (W½ NE¼ NW¼) of section thirty-five (35), township seventy-five (75), range fourteen (14) west of the 5th P. M., Mahaska county, Iowa.

Read first and second time and ordered printed in the Journal.

The Sifting committee returned to the Senate, House File No. 461.

On motion of Senator Francis, House File No. 461, a bill for an act to amend the law relating to the destruction of weeds as it appears in sections three (3) and four (4) of chapter ninety-six (96) of the acts of the Thirty-third General Assembly, was taken up, and considered.

Senator Francis offered the following amendment and moved its adoption:

I move to amend section 2 by striking out the period at the close thereof, substituting a comma therefor, and adding the following, "and by striking from line 2 of said section four the word "public."

Adopted.

Senator Francis offered the following amendment and moved its adoption:

By striking from line three of section 1 all after the word "by"; also line 4 and line 5 down to and including the word "by."

Adopted.

Senator Francis 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Cowles, Crist, Darrah, DeWolf, Dunnegan, Farr, Francis, Gillette, Hagemann, Jewell, Kimball, Larrabee, Mattes, Perkins, Ream, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Wilson of Appanoose —30.

The nays were:

Crow, Doran, Fellows, Garrett, Nye, Quigley, Robinson, Wilson of Clinton—8.

Absent or not voting:

Clarkson, Heald, Hilsinger, Jones, Legel, Malmberg, McColl, Mcmanus, Neal, Taylor, Webber, White—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Smith, House File No. 349, a bill for an act to amend the law as it appears in section seven (7) of chapter one hundred sixty-nine (169) of the acts of the Thirty-third (33) General Assembly relating to the compensation of the state bee inspector and to make an appropriation therefor, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Smith moved the substitute for the original bill be adopted.

Adopted.

Senator Smith offered the following amendment and moved its adoption:

I move to amend the substitute as follows:

Strike out the figures and words fifteen hundred ($1,500)" and substitute the words and figures "two thousand ($2,000)."

Lost.

The bill was read for information.

Senator Smith moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Larrabee, Malmberg, Mattes, Nye, Perkins, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Wilson of Appanoose—28.

The nays were:

Ream, Schrup—2.

Absent or not voting:

Balluff, Clarkson, Cowles, Garrett, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, McColl, McManus, Neal, Quigley, Taylor, Thomas, Webber, White, Wilson of Clinton—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Wilson of Appanoose, Senate File No. 146, a bill for an act to amend sections two (2), five (5), eight (8), ten (10), twelve (12), fifteen (15) and sixteen (16) of chapter one hundred twenty-eight (128), acts of the Thirty-fourth General Assembly, relative to the duties and compensation of the state fire marshal and the deputy state fire marshal, and making an appropriation for the maintenance of the state fire marshal's office, with report of committee on Appropriations recommending the adoption of a substitute and passage, was taken up, and the report of the committee adopted.

Senator Wilson of Appanoose moved that the substitute for the original bill be adopted.

Adopted.

The bill was read for information.

Senator Wilson of Appanoose moved that the rules be suspended, the bill be cosidered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balluff, Boe, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Wilson of Appanoose—37.

The nays were:

None.

Absent or not voting:

Balkema, Chase, Clarkson, Crist, Farr, Heald, Kimball, Larrabee, Legel, Thomas, Webber, White, Wilson of Clinton—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 278.

On motion of Senator DeWolf, House File No. 278, a bill for an act to amend the law as it appears in section twenty-four hundred twenty-eight (2428) of the code, relating to the duties of peace officers, was taken up and considered.

The bill was read for information.

Senator DeWolf moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Mamberg, Mattes, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, White—34.

The nays were:

None.

Absent or not voting:

Allen, Chase, Clarkson, Cowles, Farr, Francis, Heald, Legel, McColl, McManus, Savage, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Kimball, Senate File No. 348, a bill for an act to repeal section 212 of the supplement to the code, 1907, relating to the appointment of an assistant attorney general and to his salary, and to enact a substitute therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball moved that the following amendment be adopted:

Strike out of the fourth line in section one the words and figures "two (2) assistants" and insert in lieu thereof the words and figures "one (1) assistant"; also strike out of the fifth line if section one the word "their" wherever it occurs and insert in lieu thereof the word "his"; also strike out of line six and seven of section one the words and figures "three thousand six hundred dollars ($3,600.00) each" and insert in lieu thereof the words and figures "twenty-five hundred dollars ($2,500.00)."

Adopted.

Senator Kimball moved the report of the Judiciary committee be adopted.

Senator Kimball 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 ayes were:

Allen, Arney, Balkema, Boe, Cowles, Darrah, Doran, Dunnegan, Farr, Francis, Gillette, Hagemann, Hilsinger, Jewell, Jones, Kimball, Mattes, Neal, Perkins, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, White, Wilson of Appanoose—27.

The nays were:

Quigley—1.

Absent or not voting:

Ames, Balluff, Chase, Clarkson, Crist, Crow, DeWolf, Fellows, Garrett, Heald, Larrabee, Legel, Malmberg, McColl, McManus, Nye, Savage, Schrup, Taylor, Thomas, Webber, Wilson of Clinton—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Dunnegan, House File No. 241, a bill for an act to repeal section two thousand five hundred and seventy-five-a-52 (2575-a-52) of the supplement to the code, 1907, and to enact a substitute therefor, making annual appropriations for carrying on the work of the state entomologist, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dunnegan moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Chase, Crist, Darrah, DeWolf, Doran, Dunnegan, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Larrabee, Malmberg, Mattes, Neal, Nye, Perkins, Quigley, Ream, Schrup, Sheean, Smith, Spaulding, Sullivan, White, Wilson of Appanoose—32.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Clarkson, Cowles, Crow, Farr, Fellows, Heald, Kimball, Legel, McColl, McManus, Robinson, Savage, Taylor, Thomas, Webber, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 668.

On motion of Senator Cowles, House File No. 668, a bill for an act to amend division one (1), section seventeen hundred nine (1709), supplement to the code, 1907, as amended by chapter

eighteen (18), acts of the Thirty-fourth General Assembly, relating to kinds of insurance that may be written, was taken up and considered.

The bill was read for information.

Senator Cowles moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Boe, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, White, Wilson of Appanoose—35.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Balluff, Chase, Clarkson, Fellows, Heald, Kimball, Mattes, McColl, Savage, Taylor, Thomas, Webber, Wilson of Clinton—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Farr, Senate File No. 554, a bill for an act to amend the law as it appears in section two thousand nine (2009) of the code relating to appeals from the action of the commissioners in assessing damages where private property is taken for works of internal improvement, was taken up and considered.

The bill was read for information.

Senator Farr moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Smith, Spaulding, Sullivan, White, Wilson of Appanoose —37.

The nays were:

None.

Absent or not voting:

Balluff, Clarkson, Gillette, Heald, Mattes, McColl, McManus, Savage, Sheean, Taylor, Thomas, Webber, Wilson of Clinton—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

CONFERENCE COMMITTEE REPORT.

Senator Boe, from the conference committee on Senate File No. 327, submitted the following report:

The conference committee to whom was referred Senate File No. 327, report that they have had the same under consideration and recommend that the words "one hundred" be stricken from line nineteen, and the words, "seventy-five" be inserted in lieu thereof, and when so amended the bill do pass.

L. W. BOE.
JOHN B. SULLIVAN.
E. P. FARR.
S. W. DEWOLF.
JOHN W. JACOBS.
W. W. ANDERSON.
FRANK S. SHANKLAND.

Senator Boe moved the adoption of the report.
Adopted.

THIRD READING OF BILLS.

On motion of Senator Boe, Senate File No. 327, a bill for an act to amend section two thousand seventy-seven (2077) of the supplement to the code, 1907, relative to passenger rates and pro-

viding passenger transportation charges to towns and cities within this state, at which fairs or expositions are or may hereafter be held, was taken up and considered.

Senator Boe moved that the Senate adopt and concur in the following amendment as recommended by the conference committee:

That the words "one hundred" be stricken from line nineteen, and the words "seventy-five" be inserted in lieu thereof.

On the question, "Shall the Senate adopt and concur in the amendment recommended by the conference committee?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, Neal, Nye, Perkins, Robinson, Sheean, Smith, Sullivan, White, Wilson of Appanoose —30.

The nays were:

Hagemann, Larrabee, Quigley, Ream—4.

Absent or not voting:

Balluff, Chase, Clarkson, Cowles, Gillette, Heald, Mattes, McColl, McManus, Savage, Schrup, Spaulding, Taylor, Thomas, Webber, Wilson of Clinton—16.

So the amendments having received a constitutional majority were declared adopted and concurred in.

The Sifting committee returned to the Senate, House File No. 611.

On motion of Senator Sullivan, House File No. 611, a bill for an act authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employees, providing for powers, duties and compensation of such board and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making appropriation therefor, was taken up and considered.

Senator Sullivan offered the following amendments and moved their adoption:

I move to amend House File No. 611 as follows:

By inserting after the word "state" and before the word "which" in line two (2), section one (1), of the printed bill the following:

"Except employers or employees having trade relations directly or indirectly based upon inter-state trade relations operating through or by state or international boards of conciliation."

Also:

Amend section seven (7) of the printed bill by adding the words "one year" after the word "of" in the sixth (6th) line, and by striking out all of the remainder of said section.

Adopted.

Senator Sullivan 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Crist, Darrah, DeWolf, Doran, Dunnegan, Fellows, Gillette, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Mattes, Perkins, Quigley, Robinson, Savage, Shecan, Smith, Spaulding, Sullivan, White, Wilson of Appanoose—29.

The nays were:

Chase, Legel, Malmberg, Ream—4.

Absent or not voting:

Allen, Clarkson, Cowles, Crow, Farr, Francis, Garrett, Heald, McColl, McManus, Neal, Nye, Schrup, Taylor, Thomas, Webber, Wilson of Clinton—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Dunnegan moved that the Senate do now adjourn until 1:30 P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M. President Harding 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 concurs in Senate amendments to House amendments to the following bill, in which the concurrence of the House was asked:

Senate File No. 200, a bill for an act to enable the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg and to appropriate money therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House concurs in Senate amendments to House amendments in the following bill, in which the concurrence of the House was asked:

Senate File No. 161, a bill for an act in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa.

A. C. GUSTAFSON,
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. 564, a bill for an act making provisions for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines river improvement grant as school lands.

A. C. GUSTAFSON,
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. 169, a bill for an act to amend division 2448 of the supplement to the code of 1907 relating to the limits within which intoxicating liquors may be sold.

A. C. GUSTAFSON,
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. 639, a bill for an act to amend the law as it appears in chapter 2-a, title 10 of the supplement to the code, relative to the disbursement of surplus drainage fund.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists on its amendments to Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, etc., and asks a conference committee. Speaker appoints as such committee on the part of the House: Representatives Hunt of Harrison, Lund of Hamilton, Elwood of Howard and White of Benton.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the conference committee report and the amend. ments offered by the conference committee to Senate File No. 295, a bill for an act to amend section 9, chapter 153, acts of the Thirty-third General Assembly, relating to fish and game, and chapter 116, acts of the Thirty-fourth General Assembly relating to compensation of the fish and game warden.

A. C. GUSTAFSON.
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:

Senate Concurrent Resolution relative to the creation of a commission to report to the Thirty-sixth General Assembly upon the adoption of an official state flag.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns as requested, House File No. 380, a bill for an act to fix and declare the liability of persons, firms, etc., entering into contracts with the state of Iowa or with any county, city or town, etc.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House File No. 639, a bill for an act to amend the law as it appears in chapter two (2) as amended by chapter two-a (2-a) ,of title ten (X), of the supplement to the code, 1907, relative to the disbursement of surplus drainage funds.

Senator Francis moved that the Senate insist on its amendments and asked for a conference committee.

Carried.

President appoints as conference committee on the part of the Senate, Senators Francis, Chase, Allen and Hagemann.

Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, vaccines and biological products at the Iowa state college of agriculture and mechanic arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing of hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale, or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151) of the acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) of the acts of the Thirty-fourth General Assembly.

President appoints as conference committee on the part of the Senate, Senators Ames, Darrah, Farr and Wilson of Clinton.

MOTION FILED.

Senator DeWolf filed the following motion:

I move to reconsider the vote by which House File No. 288 was passed.

I. further move to reconsider the vote by which House File No. 288 was read a third time and placed upon its passage.

S. W. DeWolf.

House File No. 380, a bill for an act to fix and declare the liability of persons, firms or private corporations, entering into contracts with the state of Iowa, or with any county, city, town, city organized under special charter, school corporation or with any municipal corporation now existing or hereafter created and to provide for immunity to witnesses in proceedings to establish such liability.

Passed on file.

THIRD READING OF BILLS.

The Sifting committee returned to the Senate, House File No. 350.

On motion of Senator Boe, House File No. 350, a bill for an act to amend section twenty-seven hundred thirty-four-p (2734-p), supplement to the code, 1907, relating to qualifications of teachers, was taken up, and considered.

Senator Boe offered the following amendment and moved its adoption:

I move that section two (2) be stricken out and the following words be inserted in lieu thereof as section two (2):

"The provisions of this act shall in no way bar any teacher who can furnish evidence of at least six (6) months successful teaching experience."

Adopted.

Senator Boe moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Cowles, Crist, Crow, DeWolf, Dunnegan, Farr, Francis, Gillette, Hagemann, Heald, Hilsinger, Kimball, Malmberg, McManus, Nye, Perkins, Quigley, Ream, Smith, Sullivan, Thomas—27.

The nays were:

Garrett—1.

Absent or not voting:

Ames, Clarkson, Darrah, Doran, Fellows, Jewell, Jones, Larrabee, Legel, Mattes, McColl, Neal, Robinson, Savage, Schrup, Sheean, Spaulding, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator McManus, House File No. 380, a bill for an act to fix and declare the liability of persons, firms or private corporations, entering into contracts with the state of Iowa, or with any county, city, town, city organized under special charter, school corporation or with any municipal corporation now existing or hereafter created and to provide for immunity to witnesses in proceedings to establish such liability, was taken up, and considered.

Upon request of Senator McManus, unanimous consent was given to reconsider the vote by which House File No. 380 passed the Senate.

Senator McManus moved that the vote by which House File No. 380 passed the Senate be reconsidered.

Carried.

Senator McManus asked unanimous consent and moved that the vote by which House File No. 380 passed its third reading be reconsidered.

Carried.

Further consideration of the bill was postponed.

The Sifting committee returned to the Senate, House File No. 547.

On motion of Senator Smith, House File No. 547, a bill for an act to amend the law as it appears in section twenty-five hundred ninety-four (2594) of the code, relating to licensing itinerant vendors of drugs, was taken up, and considered.

Senator Smith 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 ayes were:

Arney, Balkema, Balluff, Boe, Chase, Crist, Crow, Dunnegan, Francis, Gillette, Hagemann, Heald, Hilsinger, Kimball, Malmberg, Nye, Perkins, Quigley, Ream, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose—26.

The nays were:

None.

Absent or not voting:

Allen, Ames, Clarkson, Cowles, Darrah, DeWolf, Doran, Farr, Fellows, Garrett, Jewell, Jones, Larrabee, Legel, Mattes, McColl, McManus, Neal, Robinson, Savage, Schrup, Spaulding, Webber, Wilson of Clinton—24.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate File No. 435, a bill for an act authorizing the issue of flood protection bonds by cities of the first class and cities acting under the commission plan of government.

Also:

Senate File No. 99, a bill for an act amending section seven hundred ninety-two (792) of the Code, relating to street improvements.

Also:

Senate File No. 368, a bill for an act to require the registration of charitable organizations soliciting public aid and providing penalty for the violations thereof.

Also:

Substitute for Senate File No. 118, a bill for an act to confer additional powers upon trust companies, state and savings banks and to prescribe the conditions under which the may transact business.

Also:

Senate File No. 294, a bill for an act to repeal section three thousand three hundred eight (3308) of the Code, and to enact a substitute therefor relating to release and discharge of liens by foreign administrators, executors and guardians.

Also:

Senate File No. 196, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-seven-a eighty-five (2727-a85) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the support of the state sanatorium for the treatment of tuberculosis.

Also:

Senate File No. 265, a bill for an act providing for the deposit by state and savings banks with the treasurer of the United States, of seurities to secure postal savings deposits made in such banks under the provisions of the postal avings bank act.

Also:

Senate File No. 516, a bill for an act to legalize a certain election held January 13, 1913, in town of Miles, Jackson county, Iowa.

Also:

Senate File No. 537, a bill for an act to legalize certain warrants of the town of Milford, Iowa.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLL6D BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Senate File No. 435, a bill for an act authorizing the issue of flood protection bonds by cities of the first class and cities acting under the commission plan of government.

Also:

Senate File No. 99, a bill for an act amending section seven hundred ninety-two (792) of the Code, relating to street improvements.

Also:

Senate File No. 368, a bill for an act to require the registration of charitable organizations soliciting public aid and providing penalty for the violations thereof.

Also:

Senate File No. 265, a bill for an act providing for the deposit by state and savings banks with the treasurer of the United States, of seurities to secure postal savings deposits made in such banks under the provisions of the postal avings bank act.

Also:

Senate File No. 516, a bill for an act to legalize a certain election held January 13, 1913, in town of Miles, Jackson county, Iowa.

Also:

Senate File No. 537, a bill for an act to legalize certain warrants of the town of Milford, Iowa.

Also:

Substitute for Senate File No. 118, a bill for an act to confer additional powers upon trust companies, state and savings banks and to prescribe the conditions under which the may transact business.

Also:

Senate File No. 294, a bill for an act to repeal section three thousand three hundred eight (3308) of the Code, and to enact a substitute therefor relating to release and discharge of liens by foreign administrators, executors and guardians.

Also:

Senate File No. 196, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-seven-a eighty-five (2727-a85) of

the Supplement to the Code, 1907, and to enact a substitute therefor relating to the support of the state sanatorium for the treatment of tuberculosis.

Also:

House File No. 259, a bill for an act creating the office of state examiners for counties, fixing their compensation, duties, terms of office and method of appointment, providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, reports and audits for counties, and providing penalties for violations of this act.

Also:

House File No. 592, a bill for an act to repeal the law as it appears in section forty-nine hundred thirteen-a (4913-a) of the Supplement to the Code, 1907, and to enact a substitute therefor in regard to bringing into certain state institutions and other places where inmates may lawfully be, drugs or liquors, or weapons, explosive or other article for use in making or attempting an escape.

Also:

House File No. 466, a bill for an act to repeal section four thousand eight hundred ninety-seven-a (4897-a) of the Supplement to the Code, 1907, and to enact a substitute relating to escapes from the penitentiary and reformatory, including violations of parole.

Also:

House File No. 23, a bill for an act to provide for the appointment of clerk of the supreme court, and reporter of the supreme court, to fix the term of office of such officials, and to repeal section one thousand sixty-seven (1067) of the Code.

Also:

House File No. 40, a bill for an act making it unlawful for any candidate for any office to promise support or influence in behalf of another for any position, place or office in consideration of any other person supporting him, and providing a penalty therefor.

Also:

House File No. 124, a bill for an act to indemnify H. C. Jackson for personal injury sustained by him while employed as head farmer at the state hospital at Mt. Pleasant, Iowa.

Also:

House File No. 158, a bill for an act to repeal section three thousand seven hundred and five (3705) of the Code, and to enact a substitute in lieu thereof, relative to the instructions of the district court.

Also:

House File No. 224, a bill for an act to amend section 1989-a41 of the Supplement of the Code, 1907, and amendments thereto, relative to the compensation to be paid appraisers of damages and commissioners of drainage districts.

Also:

House File No. 30, a bill for an act to amend section twenty-seven hundred twenty-seven-c (2727-c) of the Supplement to the Code, 1907, relating to the salary of the chief executive officer of the Iowa soldiers' orphans' home at Davenport.

Also:

House File No. 249, a bill for an act making an appropriation to reimburse certain employees of the Iowa school for the deaf for loss of wearing apparel by fire at said school on the 23d day of April, 1911.

Also:

House File No. 12, a bill for an act to amend the law as it appears in section two thousand six hundred thirty-four-f (2634-f) of the Supplement to the Code, 1907, relating to the acceptance of graduation from institutions of higher learning as evidence that a teacher possesses the scholarship and professional fitness for a state certificate.

Also:

House File No. 554, a bill for an act to amend the law as it appears in section six hundred sixty-nine (669) of the Supplement to the Code, 1907, relating to the compensation of councilmen when acting as members of the board of review.

Also:

House File No. 47, a bill for an act to authorize the incorporation in each county of the state of an association for the advancement and improvement of agriculture, animal husbandry and horticulture, to define the powers and rights of such association and its members, to provide for the submission to the voters of the question of levying a tax in aid of the objects of such association and to provide for the termination of said tax.

Also:

House File No. 212, a bill for an act to amend the law as it appears in section seven hundred twenty (720), supplement to the code, 1907, as amended by chapter forty-four (44), acts of the Thirty-third (33d) General Assembly, and chapter thirty-four (34) acts of the Thirty-fourth (34th) General Assembly and to authorize cities and towns to enter into contracts to purchase heat, gas, and electric current, and to sell the same.

Also:

House File No. 90, a bill for an act to repeal section five (5) of chapter sixty-one (61) of the acts of the Thirty-third General Assembly, as amended by chapter fifty (50) of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor relating to pensions for disabled and retired firemen.

Also:

House File No. 149, a bill for an act to amend the law as it appears in section ten hundred and fifty-six-a-nine (1056-a-9) of the supplement to the code, 1107, relating to municipal accounting of cities and towns.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

THIRD READING OF BILLS.

The Sifting committee returned to the Senate, House File No. 505.

On motion of Senator Quigley, House File No. 505, a bill for an act to amend section two thousand five hundred forty (2540) supplement to the code, 1907, and chapter one hundred fifty-three (153), acts of the Thirty-third General Assembly, relating to season during which fish may be taken, was taken up and considered.

Senator Quigley 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 ayes were:

Arney, Balkema, Balluff, Boe, Crist, Crow, Darrah, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Jewell, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perikns, Quigley, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton —35.

The nays were:

None.

Absent or not voting:

Allen, Ames, Chase, Clarkson, Cowles, DeWolf, Doran, Hilsinger, Jones, Kimball, Ream, Schrup, Taylor, Webber, White—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On request of Senator Chase, leave of absence was granted Senator Heald for the remainder of the day.

SENATE FILES SIGNED.

The President announced that as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 265, 516, 537, 435, 99, 368, 118, 294 and 196.

THIRD READING OF BILLS.

The Sifting committee returned to the Senate, House File No. 300.

On motion of Senator Farr, House File No. 300, a bill for an act to amend the law as it appears in section four thousand seven hundred ninety-nine-a (4799-a) of the supplement to the code, 1907, relating to burglary with explosives, was taken up and considered.

Senator Farr 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 ayes were:

Arney, Balkema, Balluff, Boe, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hagemann, Jewell, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Nye, Perkins, Quigley, Ream, Savage, Schrup, Sheean, Sullivan, Thomas, White, Wilson of Appanoose—34.

The nays were:

None.

Absent or not voting:

Allen, Ames, Chase, Clarkson, Cowles, Crist, Heald, Hilsinger, Jones, Neal, Robinson, Smith, Spaulding, Taylor, Webber, Wilson of Clinton—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 261.

On motion of Senator Hagemann, House File No. 261, a bill for an act to amend section twenty-eight hundred fourteen (2814) of the supplement to the code, relative to the acquisition of school sites, was taken up and considered.

Senator Hagemann offered the following amendment and moved its adoption:

I move to amend by adding to section one after the last word thereof the following: ''Provided nothing in this act shall affect pending litigation.''

Adopted.

Senator Gillette offered the following amendment and moved its adoption:

I move that section 1 of House File No. 261 be amended by striking from said section 1 the words ''or other purposes,'' in lines 5 and 6 thereof.

Lost.

Senator Hagemann 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Hagemann, Jewell, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Thomas, Wilson of Appanoose—32.

The nays were:

Farr, Gillette—2.

Absent or not voting:

Chase, Clarkson, Cowles, Francis, Garrett, Heald, Hilsinger, Jones, Mattes, Nye, Spaulding, Taylor, Webber, White, Wilson of Clinton—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 346.

On motion of Senator Legel, House File No. 346, a bill for an act to repeal sections thirty-five hundred forty-three (3543) and thirty-five hundred forty-four (3544) of the code of Iowa, 1897, and to enact a substitute in lieu thereof relative to the filing of a lis pendens, was taken up and considered.

Senator Legel offered the following amendment and moved its adoption:

I move that House File No. 346 be amended by striking therefrom all after the enacting clause and substituting therefor the following:

Section 1. That section 3543 of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

"When a petition affecting real estate is filed, the clerk of the district court where filed shall forthwith index same in an index book to be pro-

vided therefor, under the name of the parties plaintiff and defendant, entering a memorandum at each place where indexed, giving the description of the premises involved, the number of the case and the nature of the claim made.

If the petition be amended to include other parties or other lands, same shall be similarly indexed.

When the cause is finally determined the result shall be indicated in said book wherever indexed. When so indexed said action shall be considered pending so as to charge all third persons with notice of its pendency, and while pending no interest can be acquired by third persons in the subject matter thereof as against the plaintiff's rights.

If the real property affected be situated in the county where the petition is field it shall be unnecessary to show in said index lands not situated in said county, and if the description be lengthy the clerk may give same in full in one place and refer thereto at all other places in said index book.

Adopted.

Senator Wilson of Appanoose moved that the consideration of the bill be postponed until 10 o'clock tomorrow and that the amendment be printed in the Journal.

Carried.

The Sifting committee returned to the Senate, House File No. 651.

On motion of Senator Jewell, House File No. 651, a bill for an act to amend the law as it appears in section twenty-five hundred seventy-six (2576) and twenty-five hundred seventy-eight-a (2578-a) supplement to the code, 1907, relating to the practice of medicine, was taken up and considered.

The bill was read for information.

Senator Malmberg was called to the chair at 2:15 P. M.

Senator Jewell moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Balkema, Balluff, Cowles, Doran, Dunnegan, Fellows, Francis, Hagemann, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Savage, Schrup, Sheean, Smith, Sullivan, Thomas, White, Wilson of Appanoose—30.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Farr, Garrett, Gillette, Heald, McManus, Robinson, Spaulding, Taylor, Webber, Wilson of Clinton—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 223.

On motion of Senator Francis, House File No. 223, a bill for an act to amend section sixteen hundred fifty-seven-n (1657-n), supplement to the code, 1907; relative to the compensation of the secretary of the department of agriculture, was taken up, and considered.

The bill was read for information.

Senator Francis moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Cowles, Darrah, Doran, Fellows, Francis, Hageman, Hilsinger, Jewell, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Savage, Sheean, Smith, Thomas, White—29.

The nays were:

Garrett, Gillette, Sullivan—3.

Absent or not voting:

Allen, Balluff, Chase, Crist, Crow, DeWolf, Dunnegan, Farr, Heald, Jones, McManus, Robinson, Schrup, Spaulding, Taylor, Webber, Wilson of Appanoose, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator McManus, House File No. 380, a bill for an act to fix and declare the liability of persons, firms or private corporations, entering into contracts with the State of Iowa, or with any county, city, town, city organized under special charter, school corporation or with any municipal corporation now existing or hereafter created and to provide for immunity to witnesses in proceedings to establish such liability, and to fix and declare the measure of damages for violation of this act, was taken up and considered.

Senator McManus offered the following amendment and moved its adoption:

I move to amend House File No. 380 by striking out all of section one (1) after the comma after the word "them" in line fourteen (14) and inserting in lieu thereof the following: "and he hereby agrees that in case it hereafter be established that such representations or guarantees, or any of them, are false, he will forfeit and pay not less than five per cent (5%) of the contract price but in no event be less than three hundred dollars ($300.00), as liquidated damages to the other contracting party."

Adopted.

Senator McManus 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 ayes were:

Ames, Arney, Balkema, Boe, Cowles, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Hagemann, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Mc-

Manus, Neal, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Thomas, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

Quigley—1.

Absent or not voting:

Allen, Balluff, Chase, Clarkson, Crow, Garrett, Heald, Hilsinger, Mattes, Savage, Spaulding, Sullivan, Taylor, Webber, White—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 650.

On motion of Senator Jewell, House File No. 650, a bill for an act to amend the law as it appears in section twenty-five hundred eighty-three-c (2583-c), supplement to the code, 1907, relating to the practice of osteopathy, was taken up, and considered.

The bill was read for information.

Senator Jewell moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Crist, Darrah, Farr, Fellows, Gillette, Hilsinger, Jewell, Jones, Legel, Malmberg, McColl, Neal, Perkins, Quigley, Robinson, Schrup, Smith, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—27.

The nays were:

None.

Absent or not voting:

Allen, Chase, Clarkson, Cowles, Crow, DeWolf, Doran, Dunnegan, Francis, Garrett, Hagemann, Heald, Kimball, Larrabee, Mattes, McManus, Nye, Ream, Savage, Sheean, Spaulding, Taylor, Webber—23.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 304.

On motion of Senator Chase, House File No. 304, a bill for an act to amend chapter one hundred eighty-four (184) of the acts of the Thirty-fourth (34th) General Assembly relative to the suspension of the execution of the sentence of certain convicts on first conviction, was taken up, and considered.

President Harding resumed the chair at 2:50 P. M.

Senator Chase offered the following amendment and moved its adoption:

Amend the enacting clause by inserting after the word "of" and before the word "Iowa" the words "the state of."

Adopted.

The bill was read for information.

Senator Chase moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, DeWolf, Doran, Garrett, Jones, Legel, Malmberg, Mattes, McColl, Neal, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose—28.

The nays were:

Cowles, Gillette—2.

Absent or not voting:

Ames, Arney, Crow, Dunnegan, Farr, Fellows, Francis, Hagemann, Heald, Hilsinger, Jewell, Kimball, Larrabee, McManus, Nye, Quigley, Savage, Taylor, Webber, Wilson of Clinton—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 524.

On motion of Senator White, House File No. 524, a bill for an act to authorize and empower the governor of the state of Iowa to issue land patents, attested by secretary of state, to and in favor of Albert Husa, conveying certain real estate located in Johnson county, Iowa, and described more particularly as lot seven (7), block fifty-five (55), Iowa City, Iowa, was taken up, and considered.

The bill was read for information.

Senator White moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Balkema, Balluff, Clarkson, Cowles, Crist, DeWolf, Doran, Francis, Garrett, Gillette, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Neal, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose—31.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Boe, Chase, Crow, Darrah, Dunnegan, Farr, Fellows, Hagemann, Heald, Mattes, McColl, McManus, Quigley, Savage, Webber, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Crist, Senate File No. 306, a bill for an act relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the board of railroad commissioners to

"public utilities commission;" enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire, repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the board of railroad commissioners as prescribed by law, to said commission; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns certain additional powers; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities, was taken up, and considered.

Senator Crist moved the adoption of the report of the committee and that the Senate concur in the amendments recommended by the Conference committee and printed in the Journal of April 15th.

Senator Chase moved that the bill be referred to the committee on Retrenchment and Reform.

Senator Dunnegan moved the previous question.

Carried.

On the motion of Senator Chase to refer the bill to the committee on Retrenchment and Reform, a roll call was demanded.

Those favoring the motion were:

Allen, Chase, Crow, Doran, Farr, Garrett, Gillette, Quigley, Schrup, Sheean, Spaulding, White, Wilson of Appanoose, Wilson of Clinton—14.

The nays were:

Ames, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Darrah, DeWolf, Dunnegan, Fellows, Francis, Hagemann, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, McColl, Neal, Nye, Perkins-Ream, Robinson, Savage, Smith, Sullivan, Thomas—29.

Absent or not voting:

Arney, Heald, Kimball, Mattes, McManus, Taylor, Webber—7.

So the motion to refer was lost.

The president divided the motion made by Senator Crist and submitted the first part.

The report of the Conference committee was adopted.

Senator Kimball offered the following substitute motion:

I move to recommit the bill to the Conference committee with instructions to strike out sub-division (a) of section 19 and return the bill so amended.

Declared out of order.

Senator Farr asked unanimous consent to offer an amendment.

Objected to.

Senator Crist moved that the amendments recommended by the Conference committee on April 15th and printed in the Senate Journal of April 15th be adopted and concurred in.

On the question, "Shall the Senate adopt and concur in the amendments as recommended by the Conference committee?"

The ayes were:

Ames, Balkema, Boe, Clarkson, Cowles, Crist, Darrah, DeWolf, Dunnegan, Fellows, Francis, Gillette, Hagemann, Hilsinger, Jewell, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream, Robinson, Savage, Smith, Sullivan, Taylor, Thomas —30.

The nays were:

Allen, Arney, Chase, Doran, Farr, Garrett, Kimball, Quigley, Schrup, Sheean, Spaulding, White, Wilson of Appanoose, Wilson of Clinton—14.

Absent or not voting:

Balluff, Crow, Heald, Jones, McManus, Webber—6.

So the amendments having received a constitutional majority were declared adopted and concurred in.

Senator Crist moved that the vote by which the amendments recommended by the Conference committee on Senate File No. 306 were adopted and concurred in be reconsidered and that the motion to reconsider be laid on the table.

Carried.

Senator Crist moved that in making the record that the amendments recommended be not printed in the Journal of today, but referred to as in the Journal of April 15th.

Carried.

The President announced a communication from the governor which would require an executive session by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate File No. 510, a bill for an act to amend the law as it appears in chapter ninety-three (93) of the acts of the Thirty-third General Assembly, relative to the establishment of road districts for state lands and providing for the payment of the cost of maintaining roads therein and the collection of road poll tax within such districts.

Also:

Senate File No. 229, a bill for an act to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organizations and in the navy from Iowa during the civil war at a home coming during the state G. A. R. encampment at Des Moines, Iowa.

Also:

Seenat File No. 263, a bill for an act to empower private cemetery associations to condemn land for additions to their cemeteries.

Also:

Substitute for Senate File No. 6, a bill for an act to repeal section one, chapter 106, acts of the Thirty-fourth General Assembly, and enact a substitute therefor, relating to the appointment of mine inspectors, and fixing their term of office.

Also:

Senate File No. 357, a bill for an act to amend chapter sixty-two (62) of the acts of the Thirty-fourth General Assembly by striking out the last four (4) lines of section one (1) of said chapter and enacting a substitute therefor relating to the exemption from taxation of property of an honorably discharged union soldier or sailor of the Mexican war or of the war of the rebellion or of the widow of such soldier or sailor.

Also:

Senate File No. 87, a bill for an act amending the law as it appears in section 2578 of the Supplement to the Code, 1907, relating to revocation of physicians' certificates and defining unprofessional conduct.

Also:

Substitute for Senate File No. 118, a bill for an act to confer additional powers upon trust companies, state and savings banks and to prescribe the conditions under which the may transact business.

Also:

Senate File No. 294, a bill for an act to repeal section three thousand three hundred eight (3308) ofthe Code, and to enact a substitute therefor relating to release and discharge of liens by foreign administrators, executors and guardians.

Also:

Senate File No. 196, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-seven-a eighty-five (2727-a85) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the support of the state sanatorium for the treatment of tuberculosis.

Also:

Senate File No. 265, a bill for an act providing for the deposit by state and savings banks with the treasurer of the United States, of seurities to secure postal savings deposits made in such banks under the provisions of the postal savings bank act.

Also:

Senate File No. 516, a bill for an act to legalize a certain election held January 13, 1913, in town of Miles, Jackson county, Iowa.

Also:

Senate File No. 537, a bill for an act to legalize certain warrants of the town of Milford, Iowa.

Also:

Senate File N. 435, a bill fo an act authorizing the isssue of flood protection bonds by cities of the first class and cities acting under the commission plan of government.

Also:

Senate File No. 99, a bill for an act amending section seven hundred ninety-two (792) of the Code, relating to street improvements.

Also:

Senate File No. 368, a bill for an act to require the registration of charitable organizations soliciting public aid and providing penalty for the violations thereof..

JOHN H. TAYLOR,
Chairman.

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

House File No. 143, a bill for an act to repeal the law as it appears in section twenty-five hundred sixty-four (2564) of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the state board of health.

Also:

House File No. 673, a bill for an act to prohibit public officers or deputies from divulging any part of the contents of sealed bids and to fix and declare the liquated damages inuring in favor of municipal corporations by reason of the violation of such prohibition.

Also:

House File No. 506, a bill for an act to amend section one thousand nine hundred eighty-nine-a-thirteen (1989-a-13) of the Supplement to the Code, 1907, as amended by chapter one hundred eighteen (118) of the acts of the Thirty-third General Assembly, relating to the use of drainage warrants in the payment of drainage assessments.

Also:

House File No. 591, a bill for an act specifying qualifications for county attorneys additional to chapter nine (9), title three (3) of the Code.

Also:

House File No. 613, a bill for an act to amend section four thousand eight hundred fifty-two-d (4852-d) Supplement to the Code, 1907, relating to larceny of poultry.

Also:

House File No. 666, a bill for an act to amend section twenty-seven hundred sixty-one (2761) of the Code relating to the duties of secretaries of school boards.

Also:

House Joint Resolution No. 10, House joint resolution amending Senate joint resolution No. 1 of the Thirty-fifth (35th) General Assembly relating to the compensation of additional employes of the Thirty-fifth General Assembly.

Also:

House File No. 298, a bill for an act relating to elevators and warehouses, coal sheds, ice houses, buying stations, flour mills and other buildings on railroad land, and prescribing methods and conditions of procuring and holding sites therefor, and liability for loss or destruction thereof.

Also:

House File No. 288, a bill for an act to make an appropriation for the payment of the expenses of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance at the final hearing in the case before the intrastate commerce commission involving general advancement in rates.

Also:

House File No. 312, a bill for an act to confer certain powers on cities organized under the commission form of government and on cities having a population of five thousand (5,000) or more organized under chapter two (2) of title five (5) of the Code, and cities organized under special charter, relating to the organization, equipment and operations of fire departments and providing for the levy and collection of a special tax for the use and benefit of such fire departments and granting power to anticipate said tax and to issue fire fund certificates or bonds.

Also:

House File No. 458, a bill for an act to promote patriotism and to provide for the display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state.

Also:

House File No. 474, a bill for an act to amend section six hundred and ninety-four-a (649-a) of the Supplement to the Code, 1907, relating to membership fees and dues in league of Iowa municipalities.

JOHN H. TAYLOR,
Chairman Senate Committee.
W. W. ANDERSON,
Chairman House Committee.

Report adopted.

On request of Senator Gillette, leave of absence was granted Senator Webber for the day.

REPORTS OF COMMITTEE.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 69, a bill for an act to authorize the repayment to the estate of W. R. Benton of money paid to the state of Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 201, a bill for an act establishing the state colony for epileptics and making provisions for the purchase of land and the erection of buildings for said colony; beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House File No. 170, a bill for an act to encourage the dairy and beef cattle growing industries of the state of Iowa and to aid in providing instruction in practical and scientific methods and making an appropriation therefor; beg leave to report they have had the same under consideration and recommend the same do pass.

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate File No. 383, a bill for an act to amend the law as it appears in chapter eleven-c (11-c) of titlte thirteen (XIII) of the Supplement to the Code, 1907, relating to the state sanatorium for the treatment of tuberculosis, to provide for the care of advanced cases in said sanatorium and making an appropriation therefor, and to repeal the law as it appears in section twenty-seven hundred twenty-seven-a86 (2727-a-86) of the Supplement to the Code, 1907, and to enact a substitute therefor requiring counties to pay for the care of patients in the sanatorium and making such patients and persons legally bound for their support liable to counties for money so paid, beg leave to report they have had the same under consideration and recommend the same be amended as follows; and when so amended the bill do pass.

Strike out of the fifth (5th) line of section three (3) the words and figures "seventy-five thousand ($75,000.00) dollars" and insert in lieu thereof the words and figures "five thousand dollars ($5,000.00)".

JOS. MATTES,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate File No. 116, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for feeble-minded children, sanatorium for the treatment of tuberculosis, industrial schools, state hospitals, penitentiary, reformatory, for the purchase of land, and for a state institution for epileptics, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 116.

A Bill for An Act Making Appropriations for the Construction, Repair, Improvement and Contingent Funds for the Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, School for the Deaf, Institution for Feeble-Minded Children, Sanatorium for the Treatment of Tuberculosis, Industrial Schools, State Hospitals, Penitentiary and Reformatory.

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 six hundred thirty thousand five hundred fifty-five ($630,555.00) dollars for the construction, repair, improvement and contingent funds for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for feeble-minded children, sanatorium for the treatment of tuberculosis, industrial schools, state hospitals, penitentiary and reformatory.

Sec. 2. All money appropriated for this act shall be drawn from the state treasury and expended in the manner provided by chapter eleven-b (11-b) of title XIII of the supplement to the code, 1907. Any balance remaining of any appropriation after the object for which it was made has been accomplished may be expended in the discretion of the board of control of state institutions for any purpose connected with the institution for which the appropriation was made and the board of control shall report within five days after the convening of the next General Assembly the amount transferred from each fund as provided in this section and the amount of unexpended balances in the state treasury December 31, 1914.

Sec. 3. Of the appropriations made by this act the Iowa soldiers' home at Marshalltown shall receive sums as follows:

For contingent and repair fund	$ 8,000.00

Sec. 4. Of the appropriations made by this act the Iowa soldiers' orphans' home at Davenport shall receive sums as follows:

For hospital—additional	$ 15,000.00
For school house (primary)	14,000.00
For extension of water mains	1,100.00
For boiler fronts	750.00
For electric rewiring	750.00
For copper eaves and gutters	1,500.00
For repair of engine room and roof	400.00
For books, periodicals and binding	600.00
For contingent and repair fund	5,000.00

Sec. 5. Of the appropriations made by this act the school for the deaf at Council Bluffs shall receive sums as follows:

For repairs of schoolhouse	$ 2,000.00
For walks and improvement of grounds	1,500.00
For completion of basement of main building	1,000.00
For interior painting	2,500.00
For green house	850.00
For slaughter house	350.00
For books, periodicals and binding	500.00
For contingent and repair fund	3,500.00

Sec. 6. Of the appropriations made by this act the institution for feeble-minded children at Glenwood shall receive sums as follows:

For completing cottage for girls	$125,000.00
For hospital for consumptives	8,000.00
For greenhouse	2,000.00
For grading and parking grounds	1,000.00
For fire department—additional equipment	1,000.00
For beds and bedding	4,000.00
For furniture and furnishings	3,000.00
For paints and painting	3,000.00
For contingent and repair fund	10,000.00

Sec. 7. Of the appropriations made by this act the state sanatorium for the treatment of tuberculosis at Oakdale shall receive sums as follows:

For equipment, furniture and furnishings	$ 2,000.00
For housing pumping machinery	1,500.00
For additional bathing and toilet facilities	1,500.00
For repairing main building and pavilions	1,000.00
For dairy equipment	750.00
For implement and stock sheds	600.00
For paints and painting	1,000.00
For lumber and mill work	500.00
For live stock	500.00
For implements and machinery	250.00
For lectures and amusements	200.00
For contingent and repair fund	3,000.00

Sec. 8. Of the appropriations made by this act the industrial school for boys at Eldora shall receive sums as follows:

For laundry building and equipment	$ 15,000.00
For generating unit	3,000.00
For fire station—additional	1,000.00
For changing and repairing basement of chapel	1,000.00
For paints and painting	1,000.00
For extension of main sewer	600.00
For transportation of boys	800.00
For lectures and entertainments	500.00
For agricultural implements	400.00
For extension of power plant chimney	500.00

For raising and repairing roof of power plant and ma-

chine ship	2,000.00
For extension of tunnels	350.00
For oculist and dental work	750.00
For books, periodicals and binding	300.00
For band instruments and supplies	300.00
For chaplain's fund	250.00
For contingent and repair fund	7,500.00

Sec. 9. Of the appropriations made by this act the industrial school for girls at Mitchellville shall receive sums as follows:

For hog house	$ 800.00
For brick oil house	300.00
For two porches for hospital	600.00
For new boilers	2,000.00
For changing dormitories and locking system	2,000.00
For draining land	1,000.00
For paints and painting	1,500.00
For farm and garden implements and machinery	1,500.00
For piano for chapel	300.00
For horse lawnmower	125.00
For occulist and dental work	500.00
For lantern with slides	175.00
For books, periodicals and binding	300.00
For chaplain's fund	250.00
For contingent and repair fund	3,500.00

Sec. 10. Of the appropriations made by this act the Mt. Pleasant state hospital at Mt. Pleasant shall receive sums as follows:

For addition to infirmary	$ 15,000.00
For strengthening and repairing foundation walls of main building	3,000.00
For electric elevator	1,500.00
For silo	600.00
For moving and repairing farm house and barn	2,000.00
For ice house	1,000.00
For wagon shed and implement house	1,500.00
For improving sewage disposal plant	1,500.00
For draining land	1,000.00
For fencing	500.00
For improvement of grounds	1,000.00
For laundry machinery	2,000.00
For horses or mules, harness, carriages, wagons and farm implements	1,500.00
For paints and painting	2,500.00
For new floors	1,000.00
For books, periodicals and binding	500.00
For contingent and repair fund	12,000.00

Sec. 11. Of the appropriations made by this act the Independence state hospital at Independence shall receive sums as follows:

For homes for employes—additional	$ 17,500.00
For electric food elevators	8,000.00
For paints and painting	3,000.00
For draining land	2,000.00
For fencing	500.00
For contingent and repair fund	12,000.00

Sec. 12. Of the appropriations made by this act the Clarinda state hospital at Clarinda shall receive sums as follows:

For cottage for tubercular patients	$ 30,000.00
For paints and painting	2,000.00
For plumbing and plumbing fixtures	1,000.00
For books, periodicals and binding	500.00
Increasing water supply	15,000.00
For contingent and repair fund	10,000.00

Sec. 13. Of the appropriations made by this act the Cherokee state hospital at Cherokee shall receive sums as follows:

For carpets, rugs and bedding	$ 1,000.00
For paints and painting	3,000.00
For additional laundry and kitchen equipment	1,200.00
Increasing and improving the water supply	6.000.00
For sheep sheds	600.00
For repairs for pumps	1,000.00
For books, periodicals, newspapers and pictures	500.00
For contingent and repair fund	$ 10,000.00

Sec. 14. Of the appropriations made by this act the state hospital for inebriates at Knoxville shall receive sums as follows:

For custodial building	$ 25,000.00
For industrial equipment	5,000.00
For cold storage and store building	500.00
For fire equipment	500.00
For books, periodicals and binding	300.00
For contingent and repair fund	3,000.00

Sec. 15. Of the appropriations made by this act the state penitentiary at Fort Madison shall receive sums as follows:

For completing new cell bank and cell house	$ 55,000.00
For furnishing cells	8,000.00
For generating unit	4,500.00
For reflooring shops	2,000.00
For water reservoir	2,500.00
For greenhouse	1,000.00
For paving street	3,000.00
For live stock, farm buildings and fence	2,000.00
For transportation of prisoners	1,000.00
For occulist and dental work	700.00
For contingent and repair fund	6,000.00

Sec. 16. Of the appropriations made by this act the reformatory at Anamosa shall receive sums as follows:

For dwelling house for deputy warden	$ 4,000.00
For extending industries	10,000.00
For stone crushing plant	2,600.00
For extension of galleries of north and south cell banks across the ends and stairway	600.00
For replacing tables in prisoners' dining room	660.00
For repairing electric wiring system	1,500.00
For replacing radiators	300.00
For lavatories and closets	300.00
For improving water system at farm	400.00
For carpet loom	120.00
For lantern and slides	175.00
For repair of pipe organ	200.00
For repairing derricks	1,500.00
For repairing quarry bridge	600.00
For fencing	500.00
For three teams of two mules or horses each	1,500.00
For harness and farm implements	500.00
For transportation of prisoners	2,000.00
For repairs to steam pipes and tunnels	1,000.00
For feed water heater	1,000.00
For salaries of foremen and instructors	22,000.00
For occulist and dental work	1,000.00
For contingent and repair fund	6,000.00

Sec. 17. 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.

JOS. MATTES,
Chairman.

Substitute read first and second time.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 3, a bill for an act relating to employer's liability for personal injury sustained by employees in line of duty, fixing compensation therefor, providing for the appointment of a commissioner and defining his duties.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Clarkson, Senate File No. 3, a bill for an act to provide, secure and pay compensation for employes who sustain personal injury while in line of duty, was taken up and considered.

Senator Clarkson moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS.

Amend section 1, sub-division c., page four, by inserting between the two words "provided" in line 16 the following: "provided, however, that any employer beginning business after the taking eeffct of this act and giving notice at once of his desire not to some under the provisions of this act shall not be considered as under the act.

Amend section 10, subdivision j., paragraphs 18 and 19, by striking the letter "K" and insert in lieu the letter "J".

By inserting after the word "commissioner" in the sixth line of section 24 a comma (,) and the words "by and with the consent of the executive council", and by striking out the words and figures "ten thousand dollars ($10,000.00)" in the forty-ninth line of section 24 and inserting in lieu thereof the words and figures "twenty thousand dollars ($20,000.00)".

I move to strike out the word "with" preceding the word "the in the eighteenth line of section twenty-four of the bill as it appears in the Senate Journal.

By striking from section 25, in line 4, of the printed journal the following: "or any member thereof."

By striking out section 26 and inserting in lieu thereof the following:

"If the employer and the employe reach an agreement in regard to the compensation under this act, a memorandum thereof shall be filed with the Iowa industrial commissioner by the employer or employe, and unless the commissioner shall, within twenty days, notify the employer and employe of his disapproval of the agreement by registered letter sent to their addresses as given on the memorandum filed, the agreement shall stand as approved and be enforceable for all purposes under the provisions of this act. Such agreement shall be approved by said commissioner only when the terms conform to the provisions of this act."

I move to amend section twenty-seven (27) by striking from the sixth line thereof the word "and" and inserting in lieu thereof the word "who."

Strike out of 8th line of section 29, the words, "or any member thereof."

I move to amend section thirty-five sub-division b by inserting after the word "if" and before the word "deposited" in line three the following: "registered and".

Amend section 37 by inserting in line 4 after the word "after" the following: "the employer has knowledge of" and in line 5 after the word "writing" the following: "by the employer".

Strike out the first word of line 6 of section 39.

I move to amend section forty (40) by striking out the capital "A" in the word "any" in the ninth line and inserting in lieu thereof the small letter "a", and inserting preceding the said word "Any" the word "If"; also by striking from the eleventh line thereof the words "and refusing" and inserting in lieu thereof the word "refuse"; also by striking out the word "become" at the end of the fifteenth line thereof and inserting in lieu thereof the word "be".

I move to amend section forty-one (41) by striking from the eighth line thereof the word "It" and inserting in lieu thereof the words "the finding".

Amend section 50 by striking out the last sentence thereof and inserting in lieu thereof the following: "The insurance department and Iowa industrial commissioner may, at any time, upon reasonable notice to such employer, and upon hearing, revoke for cause any order or approval theretofore made, as by this act provided and within the contemplation of this section.

Amend section 51 by striking out the word "January" in the first line thereof and insert in lieu thereof the word "July"; by striking out the word "take" in the fifth line thereof and inserting in lieu thereof the word "takes".

Amend section 51, after the word "notice" in line 5 the following: "for the purpose rejecting the terms of this act."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Darrah, Doran, Francis, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Kimball, Larrabee, Legel, Malmberg, McColl, Neal, Perkins, Quigley, Ream, Robinson, Savage, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

Schrup, Spaulding—2.

Absent or not voting:

Crow, DeWolf, Dunnegan, Farr, Fellows, Heald, Jones Mattes, McManus, Nye, Sheean, Smith, Taylor, Webber, White—15.

So the house amendments having received a constitutional majority were declared concurred in.

HOUSE FILES SIGNED.

President announced that as President of the Senate he had signed, in the presence of the Senate, House Files Nos. 30, 249, 12, 554, 47, 90, 149, 212, 224, 158, 124, 23, 259, 466, 40 and 592.

THIRD READING OF BILLS.

The Sifting committee returned to the Senate, House File No. 687.

On motion of Senator Savage, House File No. 687, a bill for an act to repeal sections twenty-eight hundred twenty-three-j (2823-j), twenty-eight hundred twenty-three-k (2823-k), twenty-eight hundred twenty-three-l (2823-l), and twenty-eight hundred twenty-three-m (2823-m), supplement to the code, 1907, and enact a substitute therefor, was taken up and considered.

Senator Savage 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 ayes were:

Balkema, Boe, Clarkson, Cowles, Crist, Doran, Dunnegan, Fellows, Francis, Hagemann, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, Nye, Perkins, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Balluff, Chase, Crow, Darrah, DeWolf, Farr, Garrett, Gillette, Heald, Kimball, McColl, McManus, Neal, Quigley, Sheean, Taylor, Webber—20.

Senator Savage offered the following amendment to the title as follows and moved its adoption:

I move to amend the title by adding thereto the words, "relating to the publication and distribution of school laws."

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

The Sifting committee returned to the Senate, House File No. 431.

On motion of Senator Sullivan, House File No. 431, a bill for an act to repeal section eight hundred fifty-c (850-c) of the supplement to the code, 1907, as amended by chapter fifty-seven (57) of the acts of the Thirty-third General Assembly relating to the tax levy for park purposes and to enact a substitute therefor, was taken up and considered.

The bill was read for information.

Senator Sullivan moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Darrah, Doran, Fellows, Francis, Garrett, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Wilson of Appanoose—28.

The nays were:

None.

Absent or not voting:

Ames, Clarkson, Cowles, Crist, Crow, DeWolf, Dunnegan, Farr, Gillette, Hagemann, Heald, Hilsinger, Kimball, McColl, McManus, Quigley, Sheean, Taylor, Thomas, Webber, White, Wilson of Clinton—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 290.

On motion of Senator Kimball, House File No. 290, a bill for an act to amend section six hundred ninety-six (696) of the supplement to the code, 1907, relating to the prevention of nuisances and the regulation of slaughter houses and other such places by cities and towns, was taken up and considered.

The motion filed to reconsider the vote by which House File No. 290 was indefinitely postponed prevailed.

Senator Balluff offered the following amendment and moved its adoption:

I move to amend House File No. 290 by adding thereto the following as section two (2):

Section 2. Section six hundred ninety-six (696) of the code is hereby made applicable to cities acting under special charter.

Adopted.

Senator Kimball 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crist, Crow, Darrah, DeWolf, Farr, Francis, Hagemann, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, Neal, Perkins, Robinson, Savage, Smith, Wilson of Appanoose—26.

The nays were:

Chase, Cowles, Doran, Dunnegan, Fellows, Garrett, Gillette, Hilsinger, Nye, Quigley, Ream, Schrup, Spaulding, Sullivan, Wilson of Clinton—15.

Absent or not voting:

Heald, Larrabee, McColl, McManus, Sheean, Taylor, Thomas, Webber, White—9.

Senator Balluff offered the following amendment to the title and moved its adoption:

I move to amend the title to House File 290 by striking out the period (.) at the end thereof and by adding thereto the following "and making said section applicable to cities acting under special charter."

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended was agreed to.

The Sifting committee returned to the Senate, House File No. 667.

On motion of Senator Allen, House File No. 667, a bill for an act to amend section one (1) of chapter one hundred forty-five (145) acts of the Thirty-fourth General Assembly, relative to the limit of indebtedness of independent school districts, was taken up and considered.

Senator Allen 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crow, Darrah, DeWolf, Doran, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Kimball, Malmberg, Mattes, Neal, Perkins, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, Wilson of Clinton—28.

The nays were:

None.

Absent or not voting:

Chase, Cowles, Crist, Dunnegan, Farr, Fellows, Francis, Heald, Jones, Larrabee, Legel, McColl, McManus, Nye, Quigley, Savage, Smith, Taylor, Thomas, Webber, White, Wilson of Appanoose—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MOTION FILED.

Senator DeWolf stated that he had filed a motion to reconsider the vote by which House File No. 288 passed the Senate and moved that the Senate request the House to return the bill to the Senate.

Carried.

The Sifting committee returned to the Senate, House File No. 518.

On motion of Senator Chase, House File No. 518, a bill for an act providing for the issuance of a subpoenae by the clerk of the district court requiring a person in this state to attend and give testimony in a criminal action pending in another state after a petition has been filed in the office of said clerk and the witness given an opportunity to be heard in opposition thereto, and providing punishment for failing to do so, was taken up and considered.

Senator Chase 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 ayes were:

Allen, Arney, Balkema, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Jewell, Jones, Legel, Malmberg, McColl, Neal, Nye, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan—29.

The nays were:

None.

Absent or not voting:

Ames, Balluff, Boe, Cowles, Dunnegan, Francis, Heald, Kimball, Larrabee, Mattes, McManus, Perkins, Quigley, Ream, Savage, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—21.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists on its amendments to the following bill:

Senate File No. 289, a bill for an act to amend the law as it appears in section 2472 of the Supplement to the Code, 1907, and to repeal section 2477 of the Supplement to the Code, 1907, etc., all relating to the bureau of labor statistics and asks for a conference committee. Speaker appoints as such committee on the part of the House, Representatives Shankland of Polk, Jamison of Des Moines, Ring of Linn and Jensen of Pocahontas.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

The Sifting committee returned to the Senate, House File No. 33.

On motion of Senator Boe, House File No. 33, a bill for an act to establish legal weights and measures to provide for the inspection of the same, to punish the keeping or use of false or incorrect weights and measures, to provide for statements of net weight placing the enforcement in charge of the dairy and food commissioner and to repeal acts in conflict with this act, was taken up, and considered.

Senator Mattes offered the following amendment and moved its adoption:

I move to strike out the word "and" in the fifth line between the words "measure" and "upon." Also strike out, after the word "council" in the sixth line the following words: "such additional inspectors as may be deemed necessary to enforce the provisions of this act." And further

strike out after the word "annum" in the ninth line the following "and other inspectors provided for, a salary not to exceed $1,600.00 per annum and their salaries." And further insert in the tenth line, before the word "shall," the following, "his salary."

Adopted.

Senator Perkins offered the following amendment and moved its adoption:

I move to amend section ten by inserting after the word "provided" and before the word "the" in the fifteenth line, the following: "Provided, however, that reasonable variations shall be permitted, and tolerances and exemptions as to small packages shall be established, by rules and regulations made by the state dairy and food commissioner."

Adopted.

Senator Boe 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 ayes were:

Allen, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Gillette, Hagemann, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, Neal, Nye, Perkins, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan—30.

The nays were:

Balluff—1.

Absent or not voting:

Ames, DeWolf, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, McColl, McManus, Quigley, Savage, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Journal of April 15th was taken up, corrected and approved.

CONFERENCE COMMITTEE APPOINTMENT.

President appointed as Conference committee on the part of the Senate, on Senate File No. 289, Senators Sullivan, Hilsinger, Gillette and Crow.

HOUSE FILES SIGNED.

President announced that as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 591, 613,

666, 506, 458, 312, 298, 474, 288, 673, 143 and House Joint Resolution No. 10.

Senator Cowles moved that the Senate do now go into executive session.

Carried.

Senate went into executive session.

EXECUTIVE SESSION.

On motion and roll call, the Senate advised and consented to the appointment of Parker K. Holbrook, of Onawa, Iowa, as member of the state board of education, for the term expiring July 1, 1919.

On motion and roll call, the Senate advised and consented to the appointment of Hon. E. D. Murphy as member of the state board of education for the full term ending July 1, 1919.

On motion and roll call, the Senate advised and consented to the appointment of Hon. Charles R. Brenton, Dallas county, Iowa, as member of the state board of education, for the full term expiring July 1, 1919.

On motion and roll call, the Senate advised and consented to the appointment of Hon. Henry M. Eicher of Washington county, as member of the state board of education, to fill the vacancy caused by the resignation of Thomas B. Foster, for the unexpired term of Thomas B. Foster ending July 1, 1917.

Senate arose from executive session.

Senate resumed regular session.

Senator Sullivan moved that the Senate request the House to return to the Senate, Senate File No. 389.

Carried.

Senator Sullivan 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, APRIL 17, 1913.

Senate met in regular session at 9 o'clock a. m., President Harding presiding.

Prayer was offered by Rev. John A. Kettle, Rolfe, Iowa.

PETITIONS AND MEMORIALS.

Senator Ames presented a remonstrance of citizens of Clutier, Iowa, opposing Senate Bill No. 382.

Referred to Sifting committee.

Senator Larrabee presented a remonstrance of citizens of Webster county opposing passage of Senate File No. 131, relating to text books.

Referred to Sifting committee.

THIRD READING OF BILLS.

The Sifting committee returned to the Senate, House File No. 548.

On motion of Senator Heald, House File No. 548, a bill for an act to amend section one (1), of chapter one hundred eighty-four (184), of the acts of the Thirty-third General Assembly as amended by section one (1), of chapter one hundred forty-five (145), of the acts of the Thirty-fourth General Assembly, and to amend section two (2), of chapter one hundred eighty-four (184), of the acts of the Thirty-third General Assembly, as amended by section two (2), of chapter one hundred forty-five (145), of the acts of the Thirty-fourth General Assembly, relative to the limit of indebtedness of independent school districts, was taken up, and considered.

Senator Heald 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Gillette, Heald, Jones, Kim-

ball, Larrabee, Legel, Malmberg, McColl, Nye, Quigley, Ream, Schrup, Smith, Sullivan, Taylor, Thomas, Wilson of Appanoose —29.

The nays were:

None.

Absent or not voting:

Allen, Clarkson, Cowles, Crow, DeWolf, Francis, Garrett, Hagemann, Hilsinger, Jewell, Mattes, McManus, Neal, Perkins, Robinson, Savage, Sheean, Spaulding, Webber, White, Wilson of Clinton—21.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 489.

On motion of Senator Crist, House File No. 489, a bill for an act to repeal section two hundred ninety-three (293) of the code, and chapter three (3) of the acts of the Thirty-third General Assembly, and to enact a substitute therefor relating to the keeping of criminal statistics by the clerk of the district court and the reporting of same to the board of parole, was taken up, and considered.

Senator Crist 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Gillette, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, Neal, Nye, Quigley, Ream, Smith, Sullivan, Wilson of Appanoose—28.

The nays were:

None.

Absent or not voting:

Allen, Clarkson, Cowles, Farr, Garrett, Hagemann, Heald, Jewell, Legel, McColl, McManus, Perkins, Robinson, Savage, Schrup, Sheean, Spaulding, Taylor, Thomas, Webber, White, Wilson of Clinton—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 546, a bill for an act to enable benefited property to aid in the construction of trolley or electric railroads or the electrification of steam railroads, being additional to chapter 5, title 10 of the Code, as amended.

A. C. GUSTAFSON,
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. 493, a bill for an act to prohibit fraudulent advertising and providing a penalty therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 186, a bill for an act to repeal section 479 of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to the compensation of county auditors.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended by substitute and passed the following bill in which the concurrence of the House was asked:

Senate File No. 209, a bill for an act to amend section 4586 of the Code, 1897, relative to making transcript from the docket of a justice of the peace.

A. C. GUSTAFSON,
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. 329, a bill for an act to establish a minimum wage for teachers in the public schools of the state, prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 550, a bill for an act providing for the levy of special taxes, etc., for the erection and improvement of buildings, for connection for the Iowa soldiers' home, Iowa soldiers' orphans' home, etc., and for the purchase of land and to develop and maintain industries, etc.

A. C. GUSTAFSON,
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. 611, a bill for an act authorizing the appointment of a board of arbitration and conciliation between employers and employees, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 693, a bill for an act to confirm the title of Jacob Arnold to the south one-half of southwest quarter of section 20, township 85 north, range 30, west 5th P. M., Greene county, Iowa, and authorizing the issuance of a patent therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 520, a bill for an act to legalize the ordinances, resolutions and amendments to ordinances and resolutions passed and adopted by and the acts of the town council of the town of Buffalo, Scott county, Iowa, etc.

A. C. GUSTAFSON,
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 to provide for the employment of prisoners upon the highways of this state or in the construction and improvement of any public works.

A. C. GUSTAFSON,
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. 277, a bill for an act to authorize the use and expenditure of the sinking fund provided for in chapter 5, title 5 of the Code of 1897.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 552, a bill for an act to amend the law relating to the taking of private property for works of internal improvement as the same appears in section 2024-c, Supplement to the Code, 1907.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 471, a bill for an act to amend the law as it appears in section 298 of the Supplement to the Code, 1907, as amended by chapter 16, acts of the Thirty-third General Assembly, relating to the compensation of clerks of the district court and their deputies.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 333, a bill for an act providing for the license of certain classes of temporary or transient merchants doing business in cities or incorporated towns, etc.

A. C. GUSTAFSON,
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. 325, a bill for an act to repeal section 2930, Supplement to the Code, 1907, relating to the platting and transferring of real estate.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 694, a bill for an act to legalize the incorporation of the town of Lattners, Dubuque, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Senator Mattes moved that the Senate request the House to return to the Senate, Senate Concurrent Resolution relative to final adjournment on April 17th.

Carried.

Senator Francis was called to the chair at 9:30 A. M.

REPORT OF CONFERENCE COMMITTEE.

Senator Ames, from the conference committee on Senate File No. 507, submitted the following report:

MR. PRESIDENT—Your conference committee to whom was referred the House amendments to Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa state college of agriculture and mechanic arts, under the supervision of the president of said college, and to make, etc., beg leave to report they have had the same under consideration, and submit the following report:

That the House recedes from amendment to section two (2) as found on page 2234 of the Senate Journal.

That the amendment to section six (6) be accepted.

That the amendment to section nine (9) be accepted.

And that the House amendment to section eleven (11) be amended by striking out the words and figures "twenty-five thousand ($25,000.00)" and inserting in lieu thereof the words and figures "thirty-five thousand ($35,000.00)."

A. L. AMES.
JOHN H. DARRAH.
E. P. FARR.
JOHN L. WILSON.
C. W. HUNT.
T. J. LUND.
LEE W. ELWOOD.
H. C. WHITE.

THIRD READING OF BILLS.

On motion of Senator Ames, Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa State College ofAgriculture and Mechanic Arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing of hog cholera serum now being operated by the state of Iowa, to regulate the sale and keeping for sale, or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151) of the acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) of the acts of the Thirty-fourth General Assembly, was taken up and considered.

Senator Ames moved that the report of the conference commtttee be adopted.

Carried.

Senator Ames moved that the Senate adopt and concur in the following amendments as recommended by the conference committee:

That the House recedes from amendment to section two (2) as found on page 2234 of the Senate Journal;

That the amendment to section six (6) be accepted;

That the amendment to section nine (9) be accepted;

And that the House amendment to section eleven (11) be amended by striking out the words and figures "twenty-five thousond ($25,000.00)" and inserting in lieu thereof the words and figures "thirty-five thousand ($35,000.00).

On the question, "Shall the Senate adopt and concur in the amendments?"

The ayes were:

Ames, Arney, Balkema, Balluff, Crow, Darrah, Doran, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Legel, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Allen, Boe, Chase, Clarkson, Cowles, Crist, DeWolf, Dunnegan, Francis, Hagemann, Kimball, Larrabee, Malmberg, Mattes, McManus, Savage, Schrup, Taylor, Webber—19.

So the amendments having received a constitutional majority were declared adopted and concurred in.

HOUSE MESSAGES CONSIDERED.

Senate File No. 546, a bill for an act to enable benefited property to aid in the construction of trolley or electric railroads of the electrification or steam railroads, being additional to chapter five (5) of title ten (X) of the code of 1897, as amended.

Senator Larrabee moved that Senate concur in the following House amendments:

HOUSE AMENDMENT.

Amend title by striking out the words and figures "of 1897" following the word "Code."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Arney, Balluff, Boe, Crist, Crow, Darrah, Fellows, Francis, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, McColl, McManus, Neal, Nye, Quigley, Schrup, Smith, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose—28.

The nays were:

Doran—1.

Absent or not voting:

Allen, Ames, Balkema, Chase, Clarkson, Cowles, DeWolf, Dunnegan, Farr, Garrett, Gillette, Legel, Mattes, Perkins, Ream, Robinson, Savage, Sheean, Taylor, White, Wilson of Clinton—21.

So the House amendments having received a constitutional majority were declared concurred in.

Senate File No. 329, a bill for an act to establish a minimum wage for teachers in the public schools of the state, prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same.

Senator Thomas moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT.

That the word "normal" be stricken from the third line of section two and the word "teachers" be inserted in lieu thereof.

On the question, "Shall the Senate concur in the House amendment?"

The ayes were:

Ames, Arney, Balluff, Boe, Chase, Cowles, Darrah, Dunnegan, Farr, Fellows, Gillette, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Nye, Perkins, Quigley, Robinson, Savage, Sullivan, Thomas, Webber, Wilson of Appanoose —28.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Clarkson, Crist, Crow, DeWolf, Doran, Francis, Garrett, Hagemann, Heald, Hilsinger, Kimball, Neal, Ream, Schrup, Sheean, Smith, Spaulding, Taylor, White, Wilson of Clinton—22.

So the House amendment having received a constitutional majority was declared concurred in.

President Harding resumed the chair at 9:40 A. M.

Substitute Senate File No. 325, a bill for an act to amend section two thousand nine hundred thirty (2930) of the nineteen hundred seven (1907) supplement to the code of Iowa relating to the platting and transferring of real estate.

Senator Sullivan moved the Senate concur in the following House amendments:

HOUSE AMENDMENT.

Insert in line after the parenthesis the following "of the Supplement to the Code, 1907."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Ames, Arney, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Fellows, Gillette, Hilsinger, Jewell, Jones, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Savage, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—27.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Cowles, Crist, DeWolf, Farr, Francis, Garrett, Hagemann, Heald, Kimball, Larrabee, Legel, Malmberg, Mattes, Ream, Schrup, Sheean, Smith, Spaulding, Taylor, Webber, White —23.

So the House amendments having received a constitutional majority were declared concurred in.

Senate File No. 277, a bill for an act to authorize the use and expenditure of the sinking fund provided for in chapter five (5) of the code of 1897.

Senator Sullivan moved that the Senate concur in the following House amendment:

HOUSE AMENDMENTS.

Amend section 2 by adding "without expense to the state."

Amend title by striking out the following "of 1897".

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Ames, Arney, Balluff, Boe, Chase, Cowles, Darrah, Doran, Fellows, Gillette, Jewell, Jones, Larrabee, McColl, Neal, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—27.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Clarkson, Crist, Crow, DeWolf, Dunnegan, Farr, Francis, Garrett, Hagemann, Heald, Hilsinger, Kimball, Legel, Malmberg, Mattes, McManus, Ream, Smith, Taylor, Webber, White—23.

So the House amendment having received a constitutional majority was declared concurred in.

House File No. 693, a bill for an act to confirm the title of Jacob Arnold to the south half of the south-west quarter of section No. 20, township No. 85, north, range No. 30, west 5th., P. M., Greene county, Iowa, and authorizing the issuance of a patent therefor.

Read first and second time and referred to Sifting Committee.

House File No. 694, a bill for an act to legalize the incorporation of the town of Lattners, Dubuque county, Iowa.

Read first and second time and referred to Sifting Committee.

Senate File No. 209, a bill for an act to amend the law as it appears in section 4586 of the code, 1897, relative to making transcript from the docket of a justice of the peace.

HOUSE SUBSTITUTE AMENDMENT.

A BILL for an Act to Amend the Law as it Appears in Section Four Thousand Five Hundred Eighty-five (4585) of the Code Relative to the Making of a Transcript from the Docket and Judgment of a Justice of the Peace where a Vacancy exists.

Be it enacted by the General Assembly of the State of Iowa:

Section 1. That section four thousand five hundred eighty-five (4585) to the Code be and the same is hereby amended by adding thereto the following:

"That during the time of the vacancy in said office, and while the docket and papers are in the hands of the auditor, the clerk of the district court of said county, on the filing of a written request and payment of the fee requird by law for the filing of transcripts, by the plaintiff, his agent, or attorney, in any case in which a judgment appears in said docket, shall make a transcript and certify to the same, as provided by law, noting said fact on said docket with date thereof, which transcript, when so made and filed in the office of the clerk of the district court, shall have the same force and effect as though made by a justice of tht peace rendering said judgment."

Passed on file.

The Sifting Committee returned to the Senate, House File No. 545.

On motion of Senator Farr, House File No. 545, a bill for an act to amend the law as it appears in chapter sixty-eight (68) acts of the Thirty-fourth General Assembly, relating to the assessment and collection of a tax on collateral inheritance of estates, annuities, legacies, bequests, gifts and transfers; repealing certain sections thereof and providing substitutes therefor; making the provisions of said chapter applicable to direct inheritance of estates, annuities, bequests, gifts and transfers; subjecting the same to taxes, providing the rate of all such taxes, and making exceptions therefrom, was taken up and considered.

Senator Doran moved that the enacting clause of the bill be stricken out.

Carried.

The Sifting Committee returned to the Senate, House File No. 553.

On motion of Senator Chase, House File No. 553, a bill for an act to repeal section three thousand five hundred thirty-eight (3538) of the code, relative to the bringing of actings against unknown defendants, and to enact a substitute therefor, was taken up and considered.

Senator Chase 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 ayes were:

Ames, Arney, Balluff, Boe, Chase, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Heald, Hilsinger, Jewell, Jones, Larrabee, Malmberg, McColl, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, White—30.

The nays were:

DeWolf, Gillette, Wilson of Appanoose—3.

Absent or not voting:

Allen, Balkema, Clarkson, Cowles, Crist, Farr, Francis, Hagemann, Kimball, Legel, Mattes, McManus, Perkins, Savage, Taylor, Webber, Wilson of Clinton—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

HOUSE MESSAGES CONSIDERED.

Senate File No. 280, a bill for an act providing for the employment of prisoners upon the highways of this state, or in the construction and improvement of any public works.

Senator Jones moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT.

I move to amend Senate File No. 280 by Jones by striking out all of section 3 and by adding at the close of section 2 the following:

Sec. 3. The state highway commission shall supervise the work performed under the provisions of this act upon the highways of the state but may co-operate with the board of supervisors and local officials in the performance of said work.

Sec. 4. It shall be the duty of the board of control and the warden to prescribe the conditions and manner of keeping and caring for said prisoners while away from any of the penal institutions.

Sec. 5. Whenever a county board of supervisors or other local officials shall desire to use prisoners upon the highways within their respective jurisdictions, they may apply therefor to the state highway commission specifying the number of men desired, the character of work and the amount which they are willing to pay for said labor. If said highway commission can supervise the work and believe said prisoners can be safely and advantageously employed at said place, they shall submit the matter to said board of control with such board of supervisors or local officials the terms and details of the contract including the compensation to be paid the state for the use of such prisoners.

Sec. 6. Board of supervisors or other local official authorized to make road improvements are hereby permitted to employ prisoners to work upon the highways and pay for such services from any funds available for road or bridge work whenever in their judgment such prisoners may be employed advantageously.

Sec. 7. The board of control is hereby authorized to allow prisoners who work upon the highways of the state such part of the earnings received by the prisoners as the board shall deem just and equitable over and above the cost of maintenance of such prisoners, and may deduct a part of such earnings and forward direct to the family or person dependent upon such prisoner for support; and said board of control and warden may also provide for the deposit of the earnings of such prisoners in a bank or banks to be given said prisoners upon their release, except such part as may be allowed for current expenses.

Sec. 8. Prisoners who work upon the highways of the state shall not be required or permitted to work in clothing which will make them look ridiculous or unduly conspicuous.

Sec. 9. Any prisoner working upon the highway of the state may at any time be returned to the prison for violation of any of the rules prescribed by the warden or board of control, or for a lack of industry, acts of immorality, or if in the opinion of such warden or guard such prisoners are likely to attempt to escape, or for any other reason or cause making it necessary or advisable to return said prisoners to the penitentiary.

On the question, "Shall the Senate concur in the House amendment?"

The ayes were:

Ames, Balluff, Boe, Crow, DeWolf, Doran, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Quigley, Robinson, Schrup, Sheean, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

None.

Absent or not voting:

Allen, Arney, Balkema, Chase, Clarkson, Cowles, Crist, Darrah, Dunnegan, Farr, Francis, Hagemann, Kimball, Legel, McManus, Perkins, Ream, Savage, Smith, Taylor, Webber—21.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

THIRD READING OF BILLS.

The time having arrived for special order, House File No. 346, a bill for an act to repeal sections thirty five hundred forty-three (3543) and thirty-five hundred forty-four (3544) of the code of Iowa, 1897, and to enact a substitute in lieu thereof relative to the filing of a lis pendens, was taken up, and considered.

The bill was read for information.

Senator Farr moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Cowles, Crow, Darrah, Doran, Dunnegan, Fellows, Gillette, Hagemann, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, McColl, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Wilson of Appanoose—31.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Chase, Clarkson, Crist, DeWolf, Farr, Francis, Garrett, Larrabee, Mattes, McManus, Neal, Nye, Savage, Taylor, Webber, White, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 514.

On motion of Senator McColl, House File No. 514, a bill for an act to amend the law as it appears in chapter one hundred forty-six (146) of the acts of the Thirty-fourth General Assembly, relating to the payment of tuition of pupils attending high schools located in other districts, was taken up, and considered.

Senator McColl offered the following substitute for the bill:

SUBSTITUTE FOR HOUSE FILE NO. 514.

A BILL for an Act to Amend House File Ninety-three (93) of the Acts of the Thirty-fifth General Assembly, Relating to the Payment of Tuition of Pupils Attending High Schools Located in Other Districts.

Be it enacted by the General Assembly of the State of Iowa:

Section 1. That House File ninety-three (93) of the acts of the Thirty-fifth General Assembly be and the same is hereby amended by adding the following as an additional section thereto:

"No school corporation situated in a county maintaining a county high school shall be required to pay the tuition of pupils at any high school other than such county high school, but this shall not apply to pupils who, while residing at home, attend some high school other than that of the school corporation in which they reside; and the tution to be paid by school corporations in such county shall be two ($2.00) dollars per pupil per month.

Substitute read first and second time.

Senator McColl moved that the substitute for the original bill be adopted.

Adopted.

Senator McColl moved that the rule by which no bill may be read the second and third times the same day be suspended.

Carried.

Senator McColl 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 ayes were:

Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, DeWolf, Doran, Fellows, Garrett, Gillette, Hagemann, Hilsinger, Jones, Kimball, Malmberg, McColl, Neal, Nye, Perkins, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose—32.

The nays were:

None.

Absent or not voting:

Allen, Ames, Cowles, Crist, Dunnegan, Farr, Francis, Heald, Jewell, Larrabee, Legel, Mattes, McManus, Quigley, Schrup, Taylor, Webber, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, Senate File No. 558.

On motion of Senator Clarkson, Senate File No. 558, a bill for an act to provide for the transfer of judges from one judicial district to another in certain cases, was taken up, and considered.

Senator Clarkson 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Hagemann, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Neal, Perkins, Quigley, Ream, Robinson, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose—30.

The nays were:

Farr, Legel, Sheean—3.

Absent or not voting:

Balluff, Cowles, Crist, DeWolf, Francis, Gillette, Heald, Jewell, Mattes, McColl, McManus, Nye, Savage, Schrup, Smith, Webber, Wilson of Clinton—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined and find correctly enrolled:

Substitute for Senate File No. 517, a bill for an act repealing section 2024-i Supplement to the Code, 1907, and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material accessible for general use for road improvement and providing punishment for use of said material for other than road purposes.

Also:

Senate File No. 130, a bill for an act to amend section ten hundred seventy-six (1076) Supplement to the Code, 1907, relating to registration of voters.

Also:

Senate File No. 508, a bill for an act to amend section eight hundred thirty-six (836) of the Code, in reference to reassessment for local improvements.

Also:

Senate File No. 539, a bill for an act to amend section twenty-four hundred forty-eight, paragraph nine (2448-9) of the Supplement to the Code, 1907, regulating the hours of the day during which liquor may be sold in saloons.

Also:

Substitute for Senate File No. 161, a bill for an act in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates, authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation for the labor of patients.

Also:

Senate File No. 536, a bill for an act to amend the law as it appears in section thirty-three (33) chapter seventy-two (72) acts of the Thirty-fourth General Assembly, providing for the expenditure of registration fees of motor vehicles.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

House File No. 340, a bill for an act to amend the law as it appears in sections ten hundred seventy-two (1072), twenty-seven hundred forty-two (2742), and twelve hundred seventy-two (1272), supplement to the code, 1907, relating to the office of county superintendent of schools; to repeal section twenty-seven hundred thirty-four-b (2734-b), supplement to the code, 1907, relating to the office of county superintendent of schools and to provide for the election, qualification, duties and compensation of a county superintendent of schools.

Also:

House File No. 460, a bill for an act submitting the creation of the county of Larrabee to the legal voters of the county of Kossuth, Iowa.

Also:

House Joint Resolution No. 5, a joint resolution to amend the constitution relating to legislative authority; providing for the initiative and referendum with reference to the enactment of laws, or laws enacted by the General Assembly, and amendments to the constitution.

Also:

House File No. 595, a bill for an act to repeal section three thousand ninety-three (3093) of the code, and to enact a substitute therefor relating to subcontractor's mechanics' liens and the liability of the owner of a building or structure to the principal contractor and the subcontractor.

Also:

House File No. 241, a bill for an act to repeal section two thousand five hundred and seventy-five-a52 (2775-a52) of the supplement of the code, 1907, and to enact a substitute therefore, making annual appropriations for carrying on the work of the state entomologist.

Also:

House File No. 223, a bill for an act to amend section sixteen hundred fifty-seven-n (1657-n), supplement to the code, 1907, relative to the compensation of the secretary of the department of agriculture.

Also:

House File No. 493, a bill for an act to prohibit fraudulent advertising, and providing a penalty therefor.

Also:

House File No. 588, a bill for an act to amend section twenty-five hundred forty (2540) of the supplement to the code, 1907, as amended by chapter one hundred fifty-three (153) of the acts of the Thirty-third General Assembly, relating to the taking of fish by the use of spear, except during certain months.

Also:

House File No. 670, a bill for an act to repeal section twenty-six hundred six (2606) of the supplement to the code, 1907, and to enact a substitute therefor relating to admission to Soldiers' Home.

Also:

House File No. 93, a bill for an act to repeal chapter one hundred and forty-six (146) of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor, relating to high school tuition.

Also:

House File No. 564, a bill for an act making provisions for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines River, improvement grant as school lands.

Also:

House File No. 169, a bill for an act to amend division two of section twenty-four hundred forty-eight (2448) of the supplement to the code, 1907, relative to the limits within which intoxicating liquors may be sold.

Also:

House File No. 583, a bill for an act to amend the law as it appears in section thirty-three hundred forty-eight (3348) of the code relating to the payment of claims against the estates of decedents.

Also:

House File No. 651, a bill for an act to amend the law as it appears in sections twenty-five hundred seventy-six (2576) and twenty-five hundred seventy-eight-a (2578-a) supplement to the code, 1907, relating to the practice of medicine.

Also:

House File No. 668, a bill for an act to amend division one (1) section seventeen hundred nine (1709) supplement to the code, 1907, as amended by chapter eighteen (18) acts of the Thirty-fourth (34th) General Assembly, relating to kinds of insurance that may be written.

Also:

Substitute for Senate File No. 6, a bill for an act to repeal section one, chapter 106, acts of the Thirty-fourth General Assembly, and enact a substitute therefor, relating to the appointment of mine inspectors and fixing their term of office.

Also:

Senate File No. 357, a bill for an act to amend chapter sixty-two (62) of the acts of the Thirty-fourth General Assembly by striking out the last four (4) lines of section one (1) of said chapter and enacting a substitute therefor relating to the exemption from taxation of property of an honorably discharged union soldier or sailor of the Mexican war or of the war of the rebellion or of the widow of such soldier or sailor.

Also:

Senate File No. 87, a bill for an act amending the law as it appears in section 2578 of the Supplement to the Code, 1907, relating to revocation of physicians' certificates and defining unprofessional conduct.

Also:

Senate File No. 539, a bill for an act to amend section twenty-four hundred forty-eight, paragraph nine (2448-9) of the Supplement to the Code, 1907, regulating the hours of the day during which liquor may be sold in saloons.

Also:

Substitute for Senate File No. 161, a bill for an act in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates, authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation for the labor of patients.

Also:

Senate File No. 536, a bill for an act to amend the law as it appears in section thirty-three (33) chapter seventy-two (72) acts of the Thirty-fourth General Assembly, providing for the expenditure of registration fees of motor vehicles.

Also:

Senate File No. 510, a bill for an act to amend the law as it appears in chapter ninety-three (93) of the acts of the Thirty-third General Assembly, relative to the establishment of road districts for state lands and providing for the payment of the cost of maintaining roads therein and the collection of road poll tax within such districts.

Also:

Senate File No. 229, a bill for an act to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organizations and in the Navy from Iowa during the civil war at a home coming during the state G. A. R. encampment at at Des Moines, Iowa.

Also:

Senate File No. 263, a bill for an act to empower private cemetery associations to condemn land for additions to their cemeteries.

Also:

Substitute for Senate File No. 517, a bill for an act repealing section 2024-i, Supplement to the Code, 1907, and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material accessible for general use for road improvement and providing punishment for use of said material for other than road purposes.

Also:

Senate File No. 130, a bill for an act to amend section ten hundred seventy-six (1076) Supplement to the Cole, 1907, relating to registration of voters.

Also:

Senate File No. 508, a bill for an act to amend section eight hundred thirty-six (836) of the Code, in reference to reassessment for local improvements.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

SENATE FILES SIGNED.

President announced that as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 263, 161, 517, 357, 87, 508, 539, 130, 536, 229, 6 and 510.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this sent to the governor for his approval:

Substitute for Senate File No. 517, a bill for an act repealing section 2024-i Supplement to the Code, 1907, and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material accessible for general use for road improvement and providing punishment for use of said material for other than road purposes.

Also:

Senate File No. 130, a bill for an act to amend section ten hundred seventy-six (1076) Supplement to the Cole, 1907, relating to registration of voters.

Also:

Senate File No. 508, a bill for an act to amend section eight hundred thirty-six (836) of the Code, in reference to reassessment for local improvements.

Also:

Senate File No. 539, a bill for an act to amend section twenty-four hundred forty-eight, paragraph nine (2448-9) of the Supplement to the Code, 1907, regulating the hours of the day during which liquor may be sold in saloons.

Also:

Substitute for Senate File No. 161, a bill for an act in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates, authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation for the labor of patients.

Also:

Senate File No. 536, a bill for an act to amend the law as it appears in section thirty-three (33) chapter seventy-two (72) acts of the Thirty-fourth General Assembly, providing for the expenditure of registration fees of motor vehicles.

Also:

Substitute for Senate File No. 6, a bill for an act to repeal section one, chapter 106, acts of the Thirty-fourth General Assembly, and enact a substitute therefor, relating to the appointment of mine inspectors, and fixing their term of office.

Also:

Senate File No. 357, a bill for an act to amend chapter sixty-two (62) of the acts of the Thirty-fourth General Assembly by striking out the last four (4) lines of section one (1) of said chapter and enacting a substitute therefor relating to the exemption from taxation of property of an honorably discharged union soldier or sailor of the Mexican war or of the war of the rebellion or of the widow of such soldier or sailor.

Also:

Senate File No. 87, a bill for an act amending the law as it appears in section 2578 of the Supplement to the Code, 1907, relating to revocation of physicians' certificates and defining unprofessional conduct.

Also:

Senate File No. 510, a bill for an act to amend the law as it appears in chapter ninety-three (93) of the acts of the Thirty-third General Assembly, relative to the establishment of road districts for state lands and providing for the payment of the cost of maintaining roads therein and the collection of road poll tax within such districts.

Also:

Senate File No. 229, a bill for an act to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organizations and in the Navy from Iowa during the civil war at a home coming during the state G. A. R. encampment at at Des Moines, Iowa.

Also:

Senate File No. 263, a bill for an act to empower private cemetery associations to condemn land for additions to their cemeteries.

JOHN H. TAYLOR,
Chairman.

Passed on file.

THIRD READING OF BILLS.

On motion of Senator Chase, Senate File No. 82, a bill for an act to provide additional chairs in the college of homeopathic medicine of the State University of Iowa, additional to chapter 168 of the acts of the Sixteenth General Assembly, was taken up and considered.

On the motion filed on April 11th to reconsider the vote by which Senate File No. 82 was indefinitely postponed, a roll call was demanded.

Those favoring the motion to reconsider were:

Allen, Ames, Arney, Boe, Chase, Clarkson, Crow, Doran, Dunnegan, Garrett, Gillette, Hagemann, Kimball, McColl, McManus, Neal, Nye, Ream, Robinson, Sheean, Spaulding, Taylor, Thomas, Webber, White, Wilson of Appanoose—26.

The nays were:

Balluff, Darrah, Francis, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, Perkins, Wilson of Clinton—11.

Absent or not voting:

Balkema, Cowles, Crist, DeWolf, Farr, Fellows, Heald, Hilsinger, Quigley, Savage, Schrup, Smith, Sullivan—13.

So the motion to reconsider prevailed.

On the question of the adoption of the report of the committee to indefinitely postpone the bill a roll call was demanded.

Those favoring the adoption of the report were:

Arney, Balluff, Cowles, Darrah, Francis, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, Perkins, Smith—13.

The nays were:

Allen, Ames, Boe, Chase, Clarkson, Crow, Doran, Dunnegan, Garret, Gillette, Hagemann, Kimball, McColl, McManus, Neal, Nye, Ream, Robinson, Sheean, Spaulding, Taylor, Thomas, Webber, White, Wilson of Appanoose—25.

Absent or not voting:

Balkema, Crist, DeWolf, Farr, Fellows, Heald, Hilsinger, Quigley, Savage, Schrup, Sullivan, Wilson of Clinton—12.

So the report of the committee was rejected.

Senator Perkins moved that the bill be not considered as reports of committees were in order and that the bill was in the Sifting committee.

President held that no bills that had motions filed to reconsider were sent to the Sifting committee, and he would therefore hold the motion out of order, and that the bill was before the Senate for consideraion at this time.

Senator Wilson of Appanoose moved the previous question.

Carried.

Senator Chase 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crow, Doran, Dunnegan, Fellows, Garrett, Gillette, Hagemann, Heald, Kimball, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose—31.

The nays were:

Baluff, Darrah, Francis, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, Perkins, Schrup, Wilson of Clinton—12.

Absent or not voting:

Cowles, Crist, DeWolf, Farr, Hilsinger, Savage, Smith—7.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Chase moved to reconsider the motion by which Senate File No. 82 passed the Senate and to lay the motion on the table.

Carried.

INTRDOUCTION OF BILLS.

By Sifting committee, Senate File No. 560:

A BILL for an Act Relating to Injuries Sustained by Employees Which Occur Prior to the Taking Effect of an Act Enacted by the Thirty-fifth General Assembly, Relating to Employers' Liability for Injuries Sustained by Employees While in Line of Duty.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law enacted by the Thirty-fifth General Assembly, known as Senate File No. 3, relating to employers' liability for personal injury sustained by employees in line of duty, and fixing compensation therefor, shall not apply to an injury sustained by such employee of such employer which occurs prior to the time when such act takes effect in all of its parts; but the law and procedure in force at the time such injury occurs, if before such act takes effect in all of its parts, shall be the same as though such act had not been enacted whether such action is brought before or after such act takes effect in all of its parts.

Read first and second time.

On motion of Senator Clarkson, Senate File No. 560, relating to injuries sustained by employees which occur prior to the taking effect of an act enacted by the Thirty-fifth General Assembly relating to employers' liability for injuries sustained by employees while in line of duty, was taken up and considered.

Senator Clarkson moved that the rule by which no bill may be read the second and third times the same day be suspended.

Carried.

The bill was read for information.

Senator Clarkson moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Kimball, Legel, Malmberg, Mattes, McColl, McManus, Perkins, Quigley, Ream, Savage, Schrup, Sheean, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

Spaulding—1.

Absent or not voting:

Cowles, Crist, Crow, Farr, Heald, Hilsinger, Jewell, Jones, Larrabee, Neal, Nye, Robinson, Smith, Sullivan, Webber—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

INTRODUCTION OF BILLS.

By Sifting committee, Senate File No. 561:

A BILL for an Act Legalizing the Acts of the City Council, Clerk and Treasurer of the City of Belle Plaine, Iowa, Relating to Overdrafts Upon the General Fund, Water Fund, Bond Fund, City Improvement Fund, Water and Sewer Fund, and Sewer Outlet Fund.

Whereas, For the year ending April 7, 1913, there were received by the city treasurer of the city of Belle Plaine, Iowa, for the year 1912, the sum of four thousand five hundred sixty-nine dollars and sixty-nine cents ($4,569.69), less an overdraft of eleven dollars and thirty-eight cents ($11.38), which existed of date April 1, 1912, that said city treasurer paid out of said fund upon warrants duly issued by said council of said city, the sum of four thousand six hundred fifty dollars and eighty-four cents, leaving an overdraft on said fund of ninety-two dollars and fifty-three cents ($92.53), and

Whereas, On said date, to-wit, April 7, 1913, for and during the said year were received by said treasurer for said city in the water fund, including a balance existing on April 1, 1912, in favor of said fund, five thousand four hundred seven dollars and ninety-two cents ($5,407.92), that for and during said year said treasurer expended and paid out of said fund upon warrants issued by said council, the sum of five thousand seven hundred seventy-four dollars and forty-three cents ($5,774.43), leaving an overdraft on said fund of three hundred sixty-six dollars and fifty-one cents ($366.51), and

Whereas, As there were received as revenue for said city by said treasurer in bond fund including a balance existing in favor of said fund April 1, 1912, forty-four dollars and fifteen cents ($44.15), the sum of one thousand six hundred three dollars ($1,603.00), and that during said year ending April 7, 1913, said city treasurer paid out of said fund upon warrants issued by said council upon said city the sum of two thousand and five dollars ($2,005.00), leaving an overdraft upon said fund of four hundred two dollars ($402.00), and

Whereas, That for and during said year ending April 7, 1913, there were received by the treasurer of said city in the improvement fund, the sum of one thousand seventy-five dollars and three cents ($1,075.03), including a balance which existed in favor of said fund of date of April 1, 1912, the sum of six hundred seventy-nine dollars and ninety-eight cents ($679.98), and that during said year ending April 7, 1913, said city treasurer paid out of said fund upon warrants issued by the said council of said city the sum of one thousand two hundred fifty-seven dollars and seventy-two cents ($1,257.72), leaving an overdraft of one hundred eighty-two dollars and sixty-nine cents ($182.69), and

Whereas, During the year ending April 7, 1913, said city treasurer received for the water and sewer fund for said city, the sum of six thousand nine hundred ninety-five dollars and eleven cents ($6,995.11) which included a balance existing in favor of said fund of April 1, 1912, the sum of four thousand two hundred thirty-six dollars and twenty-two cents ($4,236.22), that during said year ending April 7, 1913, said city treasurer paid out of said water and sewer fund upon warrants issued by the city council of said city the sum of seven thousand two hundred twelve dollars and ninety-four cents ($7,212.94), leaving an overdraft on said water and sewer fund of two hundred seventeen dollars and eighty-three cents ($217.83), and

Whereas, There were received by the said city treasurer of said city during said year ending April 7, 1913, for sewer outlet fund the sum of six thousand eight hundred twenty-eight dollars and ninety-four cents ($6,828.94), and that during said year ending April 7, 1913, said city treasurer paid out of said sewer outlet fund upon warrants issued by the said city council of said city, the sum of six thousand nine hundred four dollars ($6,904.00), leaving an overdraft upon said sewer outlet fund the sum of seventy-five dollars and six cents ($75.06), and

Whereas, Doubts have arisen as to the legality of the issuing of the warrants upon said several funds where there were no funds with which

to pay the same and the treasurer having paid the money upon the said warrants so issued without money being in the funds upon which the warrants were issued, now therefor

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That all of the warrants issued by the said city council of the city of Belle Plaine, Iowa, and the acts of the said city council and the clerk of the said city with reference to the issuing of said warrants and the payment thereof and the acts of the treasurer of said city in making payment of said warrants out of said several funds, be and the same is hereby legalized and said payments shall have the same force and effect in every respect as if duly, regularly authorized by law and issued under warrant of law and paid in accordance with law, the same force and effect as if the treasurer had money in the several funds with which to pay the same and the incoming treasurer of said city beginning the year April 7, 1913, be and is hereby authorized and empowered to apply the moneys received by him for the several funds for the purpose of and to meet overdrafts made upon the said several funds.

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, without expense to the state.

Read first and second time.

THIRD READING OF BILLS.

On motion of Senator Ames, Senate File No. 561, a bill for an act legalizing the acts of the city council, clerk and treasurer of the city of Belle Plaine, Iowa, relating to overdrafts upon the general fund, water fund, bond fund, city improvement fund, water and sewer fund, and sewer outlet fund, was taken up and considered.

Senator Ames moved that the rule by which no bill be read a second and third time on the same day be suspended.

Carried.

The bill was read for information.

Senator Ames moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gil-

lette, Hagemann, Heald, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, Crist, Crow, Hilsinger, McManus, Neal, Nye, Sheean, Smith, Spaulding, Sullivan, Webber—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Farr, Senate File No. 555, a bill for an act amending chapter two hundred one (201) of the laws of the Thirty-fourth General Assembly; relating to plans and specifications and estimates of cost of buildings under the control of the board of education and the employment of an architect and assistants and limiting expenditure therefor, was taken up and considered.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend Senate File No. 555 as printed in the Journal page 2206 by inserting after the word "assistants" and before the word "nothing" in the third line from the bottom of section two the following:

"But in no case shall expenditure exceed two and one-half per centum of the total cost of such improvement."

Adopted.

Senator Farr 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 ayes were:

Ames, Arney, Balkema, Chase, Clarkson, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Jewell, Kimball, Larrabee, Legel, Malmberg, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Webber, Wilson of Clinton—31.

The nays were:

Balluff, Crist, Dunnegan, Jones, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Smith, Sullivan, Wilson of Appanoose—7.

Absent or not voting:

Allen, Boe, Cowles, Crow, Hagemann, Hilsinger, Mattes, McManus, Neal, Taylor, Thomas, White—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Smith moved that the Senate do now adjourn until 1:30 P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M., President Harding presiding.

PETITIONS AN MEMORIALS.

Senator Francis presented a remonstrance of citizens of Dickinson county opposing a permanent tax commission.

Referred to Sifting committee.

The following communication was received and on motion of Senator Wilson of Appanoose, same was read by Dr. George A. Newman, assistant adjutant general, and the communication was ordered printed in the Journal:

To the Senate of the Thirty-fifth General Assembly.

GENTLEMEN—I am directed by the committee having in charge the arrangements for the home coming of Iowa soldiers in June of this year, and also by the commission to arrange for the disbursement of the fund to defray the railroad fare of the survivors of the battle of Gettysburg living in Iowa, to the fifthieth anniversary celebration of that battle, to express to your honorable body the sincere thanks and grateful appreciation of the veterans in having it made possible to carry out the objects for which the appropriation was asked. It is an added pleasure to acknowledge the fact, that everything in the interest of the veterans asked for has been granted.

Very respectfully, for the committees,

GEO. A. NEWMAN.

THIRD READING OF BILLS.

On motion of Senator Ream, Senate File No. 559, a bill for an act for the purpose of having a patent issued in the name of Charles Martin for a certain tract of land, was taken up, and considered.

The bill was read for information.

Senator Ream moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third rading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balluff, Boe, Chase, Clarkson, Crist, DeWolf, Dunnegan, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Kimball, Malmberg, McManus, Neal, Nye, Perkins, Quigley, Ream, Savage, Smith, White, Wilson of Appanoose—26.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balkema, Cowles, Crow, Darrah, Doran, Farr, Francis, Hagemann, Jones, Larrabee, Legel, Mattes, McColl, Robinson, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Clinton—24.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 682.

On motion of Senator Kimball, House File No. 682, a bill for an act to amend section thirty-one hundred thirty-eight (3138) of the supplement to the code, 1907, as amended by chapter one hundred ninety-five (195) of the acts of the Thirty-third General Assembly, relating to the care of property belonging to guests of hotels and inns and to the lien of hotel and innkeepers thereon, was taken up, and considered.

The bill was read for information.

Senator Kimball moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Balkema, Balluff, Boe, Chase, Crist, DeWolf, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Kimball, Malmberg, McManus, Neal, Nye, Quigley, Ream, Smith, Thomas, White, Wilson of Appanoose—26.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Clarkson, Cowles, Crow, Darrah, Doran, Hagemann, Jones, Larrabee, Legel, Mattes, McColl, Perkins, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Webber, Wilson of Clinton—24.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 574.

On motion of Senator Balkema, House File No. 574, a bill for an act to repeal section five hundred forty-nine (549) of the code relating to the publication of notices and to enact the following in lieu thereof, was taken up, and considered.

The bill was read for information.

Senator Balkema moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Chase, Cowles, Crist, DeWolf, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jewell, Kimball, Malmberg, McManus, Neal, Nye, Ream, Sheean, Smith, Sullivan, Thomas, Wilson of Appanoose—26.

The nays were:

Dunnegan, Quigley—2.

Absent or not voting:

Allen, Balluff, Clarkson, Crow, Darrah, Doran, Gillette, Hagemann, Jones, Larrabee, Legel, Mattes, McColl, Perkins, Robinson,

Savage, Schrup, Spaulding, Taylor, Webber, White, Wilson of Clinton—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, Senate Joint Resolution No. 14.

On motion of Senator Allen, Senate Joint Resolution No. 14, senate joint resolution approving estimates of cost, plans and specifications for the erection of new buildings at the state university, at the state college of agriculture and mechanic arts, and at the state teachers college, was taken up, and considered.

The joint resolution was read for information.

Senator Allen moved that the rules be suspended, the joint resolution be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the joint resolution pass?"

The ayes were:

Allen, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Quigley, Ream, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Ames, Arney, Boe, Farr, Hagemann, Heald, Jewell, McManus, Neal, Perkins, Robinson, Savage, Taylor, Webber, White—15.

So the joint resolution having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to adopt the conference committee amendments to which the concurrence of the House was asked:

Senate File No. 306, a bill for an act relative to public utilities, their rights, powers, etc.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS.

By committee on Appropriations, Senate Joint Resolution No. 15.

SENATE JOINT RESOLUTION NO. 15.

Senate 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, 1915, 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.
Two assistants to the attorney general at salaries, each, of not to exceed	$2,500.00
Two stenographers at salaries, each not to exceed	900.00
Additional assistance and contingent fund not to exceed the sum of	6,500.00
To pay claims against the department prior to January 1, 1910	1,000.00
One law clerk and stenographer	1,200.00

For the Office of Auditor of State.

One chief clerk in the insurance department at a salary not to exceed	1,800.00
One securities clerk in the insurance department, who shall give bond, at a salary of not to exceed	1,600.00
One fee clerk in the insurance department, who shall give bond, at a salary of not to exceed	1,400.00
Extra clerical assistance in insurance, revenue and banking departments, expense in adjusting accounts between the state and counties, expense in attending meetings of the insurance commissioners and such other expense as shall be approved by the executive council, not to exceed	1,000.00
One chief clerk in the revenue department at a salary of not to exceed	1,600.00
One chief clerk in the banking department at a salary of not to exceed	1,600.00

One assistant clerk in the banking department at a salary of not to exceed	1,000.00
Five stenographers at salaries, each, of not to exceed	900.00
One janitor at a salary of not to exceed	780.00
One chief clerk in the department of municipal accounting, also to serve as general clerk, at a salary of not to exceed	1,500.00
One additional clerk at a salary of not to exceed	1,200.00

For the Office of the Clerk of the Supreme Court.

One clerk at a salary not to exceed	1,200.00
One clerk at a salary of not to exceed	900.00
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 not to exceed	840.00
For additional clerical assistance not to exceed	150.00

For the Office of the Governor.

One pardon clerk at a salary of not to exceed	1,300.00
One requisition clerk at a salary of not to exceed	1,300.00
One notarial clerk and stenographer at a salary of not to exceed	900.00
One messenger and usher, who shall act as janitor, at a salary not to exceed	900.00

For the State Librarian's Office.

One cataloger at a salary of not to exceed	1,000.00
One stenographer and bookkeeper at a salary of not to exceed	900.00
One janitor at a salary of not to exceed	780.00
One legislative and general reference assistant, (who shall be under the direction of assistant to librarian)	1,000.00
One stenographer for the law and document department at a salary of not to exceed	900.00
Extra allowance for special janitor work in the law department not to exceed	200.00
One apprentice assistant in law department at a salary of not to exceed	300.00

For the Office of Railroad Commissioners.

One general clerk at a salary of not to exceed	1,300.00
One statistical and rate clerk at a salary of not to exceed	1,200.00
One assistant statistical and rate clerk at a salary of not to exceed	900.00
One reporter at a salary of not to exceed	1,200.00
Two stenographers at a salary, each, of not to exceed	900.00

For the Office of Secretary of State.

One chief clerk, who shall give bond, at a salary of not to exceed	1,600.00
One corporation clerk at a salary of not to exceed	1,200.00

One assistant corporation clerk at a salary of not to exceed..	1,200.00
One general clerk at a salary of not to exceed.....	1,200.00
Two stenographers at salaries, each, of not to exceed.....	900.00
One librarian of document department at a salary of not to exceed	1,200.00
One document clerk and accountant for storage building at a salary of not to exceed.....	1,200.00
One janitor and messenger at a salary of not to exceed.....	900.00

Motor Vehicle Department.

One chief clerk at a salary of not to exceed.....	1,500.00
One cashier at a salary of not to exceed.....	1,200.00
One chief examiner of applications, at a salary of not to exceed	1,200.00
One bookkeeper at a salary of not to exceed.....	1,000.00
One stenographer, at a salary of not to exceed.....	900.00
One index clerk at a salary of not to exceed.....	900.00
One general clerk, (receipts, plates, etc.) at a salary of not to exceed	900.00

Extra Help. (Estimated.)

Eight clerks at $65.00 per month, each, for three months.

Three clerks at $65.00 per month, each, for four months.

Two clerks at $65.00 per month, each, for two months.

For the Office of Superintendent of Public Instruction.

Two stenographers at salaries, each, of not to exceed.....	900.00
One janitor, at a salary of not to exceed.....	780.00
For extra clerical assistance, not to exceed.....	750.00

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 not to exceed.....	900.00
For stenographic and messenger service, not to exceed.....	6,300.00

For the Office of Treasurer of State.

One cashier, who shall give bond, at a salary of not to exceed	1,500.00
One bookkeeper at a salary of not to exceed.....	1,200.00
One general clerk at a salary of not to exceed.....	900.00
One stenographer at a salary of not to exceed.....	900.00
One watchman, who shall be janitor, and who shall be prohibited from depositing or handling state funds, at a salary of not to exceed.....	780.00
For additional clerical assistance and contingent, not to exceed	300.00

For the Office of the Curator of the State Historical Department.

Two assistants to the curator, at salaries, each, of not to exceed	1,200.00
One clerk and stenographer at a salary of not to exceed....	900.00
One museum director at a salary of not to exceed.....	1,200.00
Six guards, at salaries, each, of not to exceed.....	780.00
One porter, who shall be under forty-five of age.....	780.00
One index clerk for archives department, at a salary of not to exceed	900.00
One matron, at a salary of not to exceed.....	780.00

The guards and porter above provided are in lieu of all janitors, elevator tenders, and night watchmen heretofore provided for the Historical Building.

For the Executive Council.

One secretary at a salary of not to exceed.....$	2,400.00
One clerk at a salary of not to exceed.....	1,600.00
One clerk in the supply room, who shall keep the stock book, the office supply accounts, make the quarterly reports to officers, and who shall give bond, at a salary of not to exceed	1,100.00
One capitol grounds extension representative, to be named by the governor, at a salary of not to exceed.....	1,500.00
For stenographic and clerical assistants to be employed by the secretary, upon the approval of the executive council, not to exceed	2,200.00
One postmaster, who shall carry mail as directed by the executive council, not to exceed.....	1,000.00
One janitor, who shall also be janitor for the board of health to be named by the secretaries of the executive council and of the board of health, not to exceed.....	780.00

For the Board of Control.

One chief acountant at a salary of not to exceed.....	1,800.00
One storekeeper and clerk at a salary of not to exceed.....	1,200.00
One estimate clerk at a salary of not to exceed.....	1,200.00
One stenographer and proof reader, at a salary of not to exceed	1,000.00
Three stenographers and clerk at salaries, each, of not to exceed	900.00
One clerk and janitor at a salary of not to exceed.....	780.00
For extra clerical assistance not to exceed.....	1,500.00

For the Department of Geological Survey.

One stenographer at a salary of not to exceed.....	900.00

For Weather and Crop Service.

Director's salary	1,500.00
Clerical assistance not to exceed.....	720.00

For the Office of State Mine Inspector.

One clerk at a salary of not to exceed	1,000.00

For the Office of the State Board of Health.

One assistant secretary, not to exceed	1,200.00
One clerk and stenographer at a salary not to exceed	900.00
Extra clerical assistance not to exceed the sum of	900.00
For one clerk and stenographer for vital statistics at a salary of not to exceed	900.00
One keeper of accounts	900.00

For the Office of Supreme Court Reporter.

One clerk at a salary of not to exceed	720.00

For the Office of the Library Commission.

One secretary at a salary of not to exceed	1,600.00
One librarian, (traveling library) at a salary of not to exceed	1,080.00
One field and reference assistant at a salary of not to exceed	1,000.00
One library organizer at a salary of not to exceed	900.00
One clerk and general stenographer, at a salary of not to exceed	900.00
One cataloger, not to exceed	900.00
One general assistant, at a salary of not to exceed	600.00
For extra help as needed, including service of shipping clerk, not to exceed	400.00

For the Office of State Pharmacy Commission.

One secretary at a salary of not to exceed	1,500.00
For extra clerical assistance not to exceed the sum of	150.00

For the Office of Food and Dairy Commissioner.

One clerk at a salary of not to exceed	900.00
One clerk at a salary of not to exceed	900.00
One janitor for rooms occupied by food and dairy commissioner and state veterinarian, at a salary of not to exceed	780.00
For extra clerical assistance, to be used only in case of necessity, on approval of the executive council, not to exceed	1,000.00

(For janitors for certain offices.)

For the offices of the department of agricultural (agricultural society) there shall be one janitor to be seected by them, at a salary of not to exceed	780.00
For the offices of the pharmacy department, mining inspector and labor bureau, there shall be one janitor, to be selected by the custodian, at a salary not to exceed	780.00
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 not to exceed	780.00

For the offices of the railroad commissioners, horticultural department and attorney general there shall be one janitor, selected by them, at a salary of not to exceed..... 780.00

The last four janitors shall be upon the custodian's pay roll.

To be employed by the Custodian of Public Buildings and Property.

One chief engineer at a salary of not to exceed.....	$ 1,500.00
One first assistant engineer at a salary of not to exceed.....	1,200.00
One second assistant engineer at a salary of not to exceed..	1,200.00
One electrician and machinist at a salary of not to exceed...	1,200.00
One assistant electrician and machinist at a salary of not to exceed	1,000.00
One carpenter at a salary of not to exceed.....	1,000.00
One chief of police at a salary of not to exceed.....	900.00
Two night watchmen at a salary, each, of not to exceed.....	900.00
One boiler tender at a salary of not to exceed.....	900.00
Six firemen and wardens at salaries, each, of not to exceed..	840.00
Eight floor janitors at salaries, each, not to exceed.....	780.00
One storage room janitor, to be named by the executive council, at a salary of not to exceed.....	780.00
One janitress to have charge of the ladies' toilet rooms at a salary of not to exceed.....	780.00
One elevator tender at a salary of not to exceed.....	780.00
Allowance for washing towels not to exceed.....	600.00
One florist and yard man at a salary not to exceed.....	840.00
Extra help as may be needed, not to exceed the sum.....	720.00
One clerk and stenographer at a salary of not to exceed.....	900.00
Three janitors for capitol building, who shall be less than forty-five years of age, at a salary, each, of not to exceed	780.00

For the Bureau of Labor Statistics.

One clerk and statistician at a salary of not to exceed.....	1,000.00

All janitors employed 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 shall discharge any janitor for incompetency, neglect of duty or insubordination.

All employes provided for in this act shall devote their entire time to the service of the state, except that this requirement shall not be interpreted to prevent the allowance of a reasonable vacation, such vacation to be at the discretion of the head of the department or commission interested, and in no case to exceed two weeks in any one year.

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.

No additional help shall be employed by the head of any department, and no additional pay shall be granted or authorized to any of the employes provided for in this act, without first having received the approval of the committee on retrenchment and reform.

Any head of a department may at an time discharge any clerk or other employe in such department for neglect of duty, insubordination or incapacity.

Read first and second time and ordered printed in the Journal.

THIRD READING OF BILLS.

On motion of Senator Larrabee, Senate File No. 553, a bill for an act making an appropriation for carrying out the provisions of Senate File No. 491, was taken up and considered.

The bill was read for information.

Senator Larrabee moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balkema, Balluff, Boe, Clarkson, Crist, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Allen, Ames, Chase, Cowles, Crow, Farr, Hagemann, Heald, Savage, Taylor, White—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator McManus, Senate File No. 383, a bill for an act to amend the law as it appears in chapter eleven-c (11-c) of title thirteen (XIII) of the supplement to the code, 1907, relating to the state sanatorium for the treatment of tuberculosis, to provide for the care of advanced cases in said sanatorium and making an appropriation therefor, and to repeal the law as it appears in section twenty-seven hundred twenty-seven-a-86 (2727-a-86) of the supplement to the code, 1907; and enact a substitute therefor requiring counties to pay for the care of patients in the sanatorium and making such patients and persons legally bound for their support liable to counties for money so paid, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator McManus moved the adoption of the following amendment:

Strike out of the fifth (5th) line of section three (3) the words and figures "seventy-five thousand ($75,000.00) dollars" and insert in lieu thereof the words and figures "five thousand dollars ($5,000.00.)"

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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—44.

The nays were:

None.

Absent or not voting:

Chase, DeWolf, Hagemann, Mattes, Savage, Taylor—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Farr, House File No. 69, a bill for an act to authorize the repayment to the estate of W. R. Benton of money paid to the state of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Farr 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Webber, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Allen, Chase, DeWolf, Hagemann, Mattes, Savage, Spaulding, Thomas, White, Wilson of Appanoose—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Smith, House File No. 201, a bill for an act establishing the state colony for epileptics and making provisions for the purchase of land and the erection of buildings for said colony, 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 moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Hagemann, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Smith, Sullivan, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

Chase, Farr, Jewell, Legel, McManus, Savage, Spaulding, Thomas—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Cowles, House File No. 170, a bill for an act to encourage the dairy and beef cattle growing industries of the state of Iowa and to aid in providing instruction in practical and scientific methods and making 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 Cowles moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Cowles, Crist, Crow, Darrah, DeWolf, Dunnegan, Fellows, Francis, Garrett, Hilsinger, Kimball, Larrabee, Legel, Malmberg, Mattes, Perkins, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Webber, Wilson of Appanoose—30.

The nays were:

Chase, Clarkson, Doran, Farr, Gillette, Jewell, Jones, Quigley, Schrup, Wilson of Clinton—10.

Absent or not voting:

Hagemann, Heald, McColl, McManus, Neal, Nye, Ream, Taylor, Thomas, White—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

EXPLANATION OF VOTE.

MR. PRESIDENT—I am in sympathy with the purpose of this bill, but I believe the policy a very bad one, of appropriating money to voluntary associations which should be expended by the proper officers of the state in developing the industries of the state. I therefore vote No.

JOHN T. CLARKSON.

THIRD READING OF BILLS.

On motion of Senator Mattes, Senate File No. 116, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, School for the Deaf, Institution for Feeble Minded Children, Sanatorium for the Treatment of Tuberculosis, Industrial schools, State Hospitals, Penitentiary, Reformatory, for the purchase of land, and for a state institution for Epileptics, 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 rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Balkema, Balluff, Boe, Chase, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Gillette, Jewell, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Clarkson, Cowles, DeWolf, Francis, Garrett, Hagemann, Heald, Hilsinger, Jones, Kimball, McManus, Neal, Quigley, Schrup, Taylor, White—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

HOUSE FILES SIGNED.

President announced that as President of the Senate he had signed in the presence of the Senate, House Files Nos. 169, 241, 588, 493, 223, 670, 93, 564, 651, 460, 340, 595, 668, 583, 300, 278, 413, 505, 528, and House Joint Resolution No. 5.

THIRD READING OF BILLS.

On motion of Senator McColl Senate File No. 557, a bill for an act making an emergency appropriation for the Iowa State College of Agriculture and Mechanic Arts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mattes 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 ayes were:

Allen, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Perkins, Robinson, Savage, Sheean, Spaulding, Sullivan, Thomas, White—32.

The nays were:

Jewell—1.

Absent or not voting:

Ames, Arney, Balkema, DeWolf, Farr, Hagemann, McManus, Neal, Nye, Quigley, Ream, Schrup, Smith, Taylor, Webber, Wilson of Appanoose, Wilson of Clinton—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 534, a bill for an act relative to the state dairy and food commissioner.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Mattes, House File No. 327, a bill for an act making an appropriation to enable the state railroad commission to investigate and prepare cases affecting Iowa intrstate rates and services, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Mattes moved the adoption of the following amendments:

Strike out of lines two and three of section one the words and figures "twenty-five thousand dollars ($25,000.00)" and insert in lieu thereof the words and figures "fifteen thousand dollars ($15,000.00)".

Adopted.

Senator Mattes 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 ayes were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, Doran, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Robinson, Savage, Smith, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

Jones, Schrup—2.

Absent or not voting:

Arney, DeWolf, Dunnegan, Farr, Hagemann, McManus, Neal, Quigley, Ream, Sheean, Taylor, White—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Mattes, House File No. 326, a bill for an act making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Mattes moved the adoption of the following amendments:

Strike out of lines two and three of section one the words and figures "twenty-five thousand dollars ($25,000.00)" and insert in lieu thereof the words and figures "twenty thousand dollars ($20,000.00)".

Adopted.

Senator Mattes 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Crow, Darrah, Doran, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Kimball, Larrabee, Legel, Mattes, McColl, Perkins, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Webber, White, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

Farr, Jones, Schrup—3.

Absent or not voting:

Boe Clarkson, Cowles, Crist, DeWolf, Dunnegan, Hagemann, Malmberg, McManus, Neal, Nye, Quigley, Ream, Taylor, Thomas —15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

CONFERENCE COMMITTEE REPORT.

Senator Mattes, from the Conference committee on Senate File No. 477, submitted the folowing report:

To the Senate and House of Representatives of the Thirty-fifth General Assembly:

Your conference committee, to which was referred Senate File No. 477, by committee on Appropriations, a bill for an act to appropriate money for the purpose of defraying expenses incurred in the election contests in the 19th senatorial district of Iowa and in the 46th senatorial district of Iowa, and to pay sundry persons for services, mileage and other expenses incurred in connection with said election contests, beg leave to report that they have had same under consideration, and recommend that the Senate recede from its demands and recommend that the Senate concur in the House amendments.

Senate Committee:

JOS. MATTES.
CLEM. F. KIMBALL.
A. J. SCHRUP,
J. F. WEBBER.

Housee Committee:

W. LARRABEE, JR.
JUSTIN BARRY.
S. H. BAUMAN.
COL. HALGRIMS.

On motion of Senator Mattes, Senate File No. 477, a bill for an act to appropriate money for the purpose of defraying expenses incurred in the election contests in the 19th senatorial district of Iowa and in the forty-sixth senatorial district of Iowa, and to pay sundry persons for services, mileage and other expenses incurred in connection with said election contests, was taken up, and considered.

Senator Mattes moved that the Senate concur in the following House amendments as recommended by the Conference committee:

HOUSE AMENDMENT.

That the words and figures "one thousand eighty-five and eighty-one one-hundredth dollars ($1,085.81)" be stricken from the second and third lines of section one and that there be substituted in lieu thereof the words and figures, "nine hundred eighty-five and eighty-one one-hundredths dollars ($985.81."

That the word "four" preceding the word "hundred" in lines two and seven of section two be stricken out and the word "three" be substituted therefor; that the figures "482.84" in the third and eight lines be stricken out and figures "382.84" be substituted therefor; that the figures "272.94" in the tenth line of section two be stricken out and the figures "172.94" be substituted therefor and that the twelfth line of section two be stricken out.

On the question, "Shall the Senate adopt and concur in House amendments?"

The ayes were:

Allen, Ames, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Francis, Garrett, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

Balluff, Dunnegan, Gillette—3.

Absent or not voting:

Arney, Balkema, Cowles, Farr, Fellows, Hagemann, Jewell, Kimball, McManus, Neal, Perkins, Quigley, Ream, Smith, Taylor —15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

THIRD READING OF BILLS.

The Sifting committee returned to the Senate, House File No. 335.

On motion of Senator Webber, House File No. 335, a bill for an act to amend the law as it appears in sub-division five (5), section one thousand seven hundred and (1709) of the supplement to the code, 1907, relating to health, accident and liability insurance, was taken up, and considered.

Senator Webber 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 ayes were:

Ames, Arney, Balkema, Balluff, Chase, Crow, Darrah Doran, Francis, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, Malmberg, Mattes, McColl, Perkins, Ream, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, Webber, White, Wilson of Appanoose—30.

The nays were:

Boe, Larrabee—2.

Absent or not voting:

Allen, Clarkson, Cowles, Crist, DeWolf, Dunnegan, Farr, Fellows, Garrett, Hagemann, McManus, Neal, Nye, Quigley, Spaulding, Taylor, Thomas, Wilson of Clinton—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 49.

On motion of Senator Perkins, House File No. 49, a bill for an act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the state dairy and food commissioner in relation thereto, was taken up, and considered.

Senator Perkins 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 ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Darrah, DeWolf, Dunnegan, Fellows, Francis, Gillette, Heald, Kimball, Larrabee, Legel, Malmberg, Perkins, Quigley, Ream, Robinson, Sullivan—21.

The nays were:

Balluff, Doran, Garrett, Jewell, Jones, Nye, Spaulding, Webber, Wilson of Appanoose, Wilson of Clinton—10.

Absent or not voting:

Allen, Chase, Cowles, Crist, Crow, Farr, Hagemann, Hilsinger, Mattes, McColl, McManus, Neal, Savage, Schrup, Sheean, Smith, Taylor, Thomas, White—19.

So the bill having failed to receive a constitutional majority was declared lost.

INTRDOUCTION OF BILLS.

By Senator Clarkson, Senate Joint Resolution No. 16.

JOINT RESOLUTION No. 16, Authorizing and Directing the Secretary of State to Publish, in Pamphlet Form, Senate File No. 3, Known as the Workmen's Compensation Act.

Whereas, The people of the state of Iowa are interested in knowing the terms of the compensation act known as Senate File No. 3, enacted by the Thirty-fifth General Assembly, for the purpose of enabling them to prepare and adjust their business to the change contemplated within, and as provided by such act. Now therefore

Be it Resolved by the General Assembly of the State of Iowa:

That the secretary of state be and he is hereby authorized and directed to cause the act known as the Workmen's Compensation Act, Senate File No. 3, to be printed in pamphlet form for general distribution to those who apply for a copy thereof, upon the payment of twenty-five (25) cents, the proceeds received by the secretary of state to be paid into the state treasury.

This resolution being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines Capital and Register and Leader, newspapers published in Des Moines, Iowa.

Read first and second time.

Senator Clarkson asked unanimous consent for the consideration of the resolution at this time.

Consent granted.

On motion of Senator Clarkson, Senate Joint Resolution No. 16, authorizing and directing the secretary of state to publish, in pamphlet form, Senate File No. 3, known as the workmen's compensation act, was taken up, and considered.

Senator Clarkson moved that the rule by which no bill may be read a second and third time the same day be suspended.

Carried.

Senator Francis offered the following amendment and moved its adoption:

I move to amend the resolution by adding thereto the following: "But not more than 5,000 copies shall be printed in advance of actual sale."

Senator Spaulding moved the previous question.

Carried.

The amendment offered by Senator Francis was adopted.

Senator Clarkson 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Quigley, Ream, Robinson, Schrup, Spaulding, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton —34.

The nays were:

None.

Absent or not voting:

Ames, Cowles, Crist, Crow, DeWolf, Dunnegan, Hagemann, Jewell, Jones, Nye, Perkins, Savage, Sheean, Smith, Thomas, White—16.

So the joint resolution having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Webber, House File No. 335, a bill for an act to amend the law as it appears in sub-division five (5) section one thousand seven hundred and nine (1709) of the supplement to the code, 1907, relating to health, accident and liability insurance, was taken up, and considered.

Senator Webber offered the following motion:

I move that the vote by which House File No. 335 passed the Senate be reconsidered and also that the vote by which it passed to its third reading be reconsidered.

Carried unanimously.

Senator Webber offered the following amendment and moved its adoption:

I move to amend House File No. 335 as follows: Strike out all after the word "both" in 9th line and add the following:

Provided, that should an execution on a judgment against the owner of any such automobile or conveyance be returned unsatisfied in an action by a person who is injured or whose property is damaged by the use of such automobile or other conveyance and such owner has insured his liability for such personal injury or property damage, the judgment

creditor shall have a right of action against the insurer to the same extent that such owner could have enforced his claim against such insured had such owner paid said judgment.

Adopted.

Senator Webber 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Chase, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Malmberg, McColl, Neal, Quigley, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Webber, White, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

None.

Absent or not voting:

Allen, Clarkson, Cowles, Crist, DeWolf, Farr, Francis, Hagemann, Larrabee, Legel, Mattes, McManus, Nye, Perkins, Ream, Smith, Taylor, Thomas—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

CONFERENCE COMMITTEE REPORT.

Senator Sullivan, from the Conference committee on Senate File No. 289, submitted the following report:

MR. PRESIDENT—Your conference committee to whom was referred Senate File No. 289, report that they have had the same under consideration and recommend that the word and figure "four (4)" in the tenth (10th) line of section three (3) be stricken out and that the word and figure "three (3)" be inserted in lieu thereof.

Also that the words and figures "four thousand, five hundred dollars ($4,500.00)" be stricken out from the last line of same section and the words and figures "four thousand dollars ($4,000.00)" be inserted in lieu thereof; and when so amended the bill do pass.

JOHN B. SULLIVAN.
G. M. GILLETTE.
E. L. CROW.
G. E. HILSINGER.
FRANK S. SHANKLAND.
H. G. RING.
WALTER P. JENSEN.
J. E. JAMISON.

On motion of Senator Sullivan, Senate File No. 289, a bill for an act to amend the law as it appears in section twenty-four hundred seventy-two (2472), of the supplement to the code, 1907, and section twenty-four hundred seventy-four (2474) of the code, and to repeal section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and chapter one hundred forty-four (144) of the acts of the Thirty-third (33) General Assembly amendatory to section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and to enact a substitute therefor, all relating to the bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof, was taken up, and considered.

Senator Sullivan moved that the Senate adopt and concur in the following amendments as recommended by the Conference committee:

Recommend that the word and figure "four (4)" in the tenth (10th) line of section three (3) be stricken out and that the word and figure "three (3)" be inserted in lieu thereof.

Also that the words and figures "four thousand, five hundred dollars ($4,500.00)" be stricken from the last line of the same section and the words and figures "four thousand dollars ($4,000.00)" be inserted in lieu thereof.

On the question, "Shall the Senate adopt and concur in amendments as recommended by the Conference committee?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Crow, Darrah, DeWolf, Doran, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, White, Wilson of Appanoose—34.

The nays were:

None.

Absent or not voting:

Chase, Clarkson, Cowles, Crist, Dunnegan, Farr, Francis, Hagemann, McManus, Nye, Perkins, Spaulding, Taylor, Thomas, Webber, Wilson of Clinton—16.

So the amendment having received a constitutional majority was declared adopted and concurred in.

THIRD READING OF BILLS.

On motion of Senator Francis, House File No. 684, a bill for an act to amend section four hundred ninety-one (491) of the code, relative to deputy and clerk hire in the office of treasurer of counties containing a population of less than ten thousand, was taken up and considered.

Senator Francis offered the following amendment and moved its adoption:

I move to amend the bill as printed in the Journal by striking out all after the word "business" in the fifth line and substituting therefor the words "in an amount requiring additional help."

Adopted.

Senator Francis 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 ayes were:

Allen, Ames, Balkema, Balluff, Boe, Crist, Crow, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Heald, Jones, Larrabee, Legel, Malmberg, McColl, McManus, Neal, Nye, Quigley, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, White, Wilson of Clinton—32.

The nays were:

None.

Absent or not voting:

Arney, Chase, Clarkson, Cowles, Darrah, Farr, Hagemann, Hilsinger, Jewell, Kimball, Mattes, Perkins, Savage, Smith, Taylor, Thomas, Webber, Wilson of Appanoose—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agered to.

The Sifting committee returned to the Senate, House File No. 362.

On motion of Senator DeWolf, House File No. 362, a bill for an act to amend the law as it appears in section twenty-six hundred twenty-two (2622) supplement to the code, 1907, and to

repeal the law as it appears in section twenty-seven hundred thirty-eight (2738) supplement to the code, 1907, as amended by chapter one hundred thirty (130) acts of the Thirty-fourth General Assembly, relating to normal institutions, was taken up and considered.

The bill was read for information.

Senator DeWolf moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Doran, Francis, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Ream, Robinson, Savage, Sheean, White, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

None.

Absent or not voting:

Ames, Arney, Cowles, Darrah, DeWolf, Dunnegan, Farr, Fellows, Hagemann, Kimball, McManus, Neal, Perkins, Quigley, Schrup, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber—21.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

INTRDOUCTION OF BILLS.

By Sifting committee, Senate Joint Resolution No. 17:

JOINT RESOLUTION Relating to the Practice of Polygamy in Certain Parts of the United States Under Federal Jurisdiction and Control and Reserving to Each State the Right of Each State to Make and Enforce its Own Laws Relative to Marriage and Divorce.

Whereas, It appears from investigation recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States, notwithsanding prohibitory statues enacted by the several states thereof, and

Whereas, The practice of polygamy is generally condemned by the people of the United States, and there is a demand for the more effectual

prohibition thereof by placing the subject under federal jurisdiction and control, at the same time reserving to each state the right to make and enforce its own laws relating to marriage and divorce; now therefore

Be it Enacted by the General Assembly of the State of Iowa:

That the application be made and hereby is made to congress under the provisions of article five (V) of the constitution of the United States for the calling of a convention to propose an amendment to the constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited, and congress shall be given power to enforce such prohibition by appropriate legislation.

Resolved, further, that the legislatures of all other states of the United States, now in session or when next convened, be and they hereby are respectfully requested to join in this application by the adoption of this or an equivalent resolution.

Resolved, further, that the secretary of state be and he hereby is directed to transmit copies of this application to the Senate and House of Representatives of the United States, and to the several members of said bodies represening this state therein; also to transmit copies thereof to the legislatures of all other states of the United States.

Read first and second time and ordered printed in the Journal.

THIRD READING OF BILLS.

On motion of Senator Savage, House File No. 677, a bill for an act to legalize the regular city election of the city of Winterset, Iowa, held on the 31st day of March, A. D. 1913, and to legalize a certain franchise, and the ratification thereof by the voters at such election, granted by the said city of Winterset to the Winterset Mutual Telephone company, was taken up and considered.

The bill was read for information.

Senator Savage moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Balkema, Balluff, Boe, Chase, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Hagemann, Heald, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Quigley, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Webber, White, Wilson of Appanoose—33.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Clarkson, Cowles, Crist, Crow, Gillette, Hilsinger, McManus, Neal, Perkins, Ream, Savage, Taylor, Thomas, Wilson of Clinton—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, Senate File No. 287.

On motion of Senator Kimball, Senate File No. 287, a bill for an act to amend section two hundred twenty-seven (227) of the supplement to the code, 1907, relating to the division of the state into judicial districts and increasing the number of district judges in the fifteenth (15) judicial district and providing for the appointment of a judge to fill the vacancy and for the election of a judge for the place at the next general election, with report of committee on Congressional and Judicial Districts recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball moved the adoption of the following amendments:

By striking therefrom section three (3) and by renumbering section four (4) as section three (3). Also by adding at the end of section two (2), the following: "The term of the additional judge elected at the general election in the year 1914 shall commence on the first Monday in January, 1915."

Adopted.

Senator Kimball 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 ayes were:

Allen, Ames, Arney, Balluff, Boe, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Sullivan, White, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

Mattes—1.

Absent or not voting:

Balkema, Chase, Clarkson, Crist, Farr, Fellows, Francis, Garrett, Hagemann, Malmberg, Mattes, McColl, McManus, Neal, Nye, Spaulding, Taylor, Thomas, Webber—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Legel, Senate File No. 209, a bill for an act to amend the law as it appears in section 4586 of the code, 1897, relative to making transcript from the docket of a justice of the peace, was taken up and considered.

Senator Legel moved that the senate concur in the following House amendment:

HOUSE SUBSTITUTE AMENDMENT.

A BILL for an Act to Amend the Law as it Appears in Section Four Thousand Five Hundred Eighty-five (4585) of the Code Relative to the Making of a Transcript from the Docket and Judgment of a Justice of the Peace Where a Vacancy Exists.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section four thousand five hundred eighty-five (4585) of the Code be and the same is hereby amended by adding thereto the following:

"That during the time of the vacancy in said office, and while the docket and papers are in the hands of the auditor, the clerk of the district court of said county, on the filing of a written request and payment of the fee required by law for the filing of transcripts, by the plaintiff, his agent, or attorney, in any case in which a judgment appears in said docket, shall make a transcript and certify to the same, as provided by law, noting said fact on said docket with date thereof, which transcript, when so made and filed in the office of the clerk of the district court, shall have the same force and effect as though made by a justice of the peace rendering said judgment.

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Cowles, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Heald, Hilsinger, Jewell, Jones, Larrabee, Mattes, McManus, Neal, Nye,

Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Webber, Wilson of Appanoose—33.

The nays were:

None.

Absent or not voting:

Allen, Chase, Clarkson, Crist, Francis, Gillette, Hagemann, Kimball, Legel, Malmberg, McColl, Ream, Sullivan, Taylor, Thomas, White, Wilson of Clinton—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Heald was called to the chair at 4:20 P. M.

The Sifting committee returned to the Senate, House File No. 347.

On motion of Senator DeWolf, House File No. 347, a bill for an act to amend section thirty-five hundred thirty-four (3534) of the code of Iowa, 1897, relating to service by publication when an affidavit is filed that personal service cannot be made on defendant within this state, was taken up and considered.

President Harding resumed the chair at 4:30.

The bill was read for information.

Senator DeWolf moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Legel, McColl, Neal, Nye, Perkins, Quigley, Robinson, Savage, Sheean, Smith, Webber, White, Wilson of Clinton—28.

The nays were:

Balluff—1.

Absent or not voting:

Allen, Chase, Clarkson, Cowles, Crist, Crow, Farr, Hagemann, Jewell, Kimball, Larrabee, Malmberg, Mattes, McManus, Ream, Schrup, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—21.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 675.

On motion of Senator Heald, House File No. 675, a bill for an act to amend the law relating to the levy of taxes for the support of cemeteries as the same appears in chapter thirty-eight (38) of the acts of the Thirty-third General Assembly, amendatory of sections five hundred eighty-six (586) and eight hundred ninety-four (894) supplement to the code, 1907, was taken up and considered.

Senator Heald 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 ayes were:

Arney, Balkema, Boe, Chase, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Malmberg, McColl, Neal, Ream, Robinson, Savage, Schrup, Sheean, Smith, Webber, White, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Allen, Ames, Balluff, Clarkson, Cowles, Crist, Crow, Garrett, Hagemann, Kimball, Legel, Mattes, McManus, Nye, Perkins, Quigley, Spaulding, Sullivan, Taylor, Thomas—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 608.

On motion of Senator DeWolf, House File No. 608, a bill for an act to amend the law as it appears in sections eight hundred seventy-nine-d (879-d), and eight hundred seventy-nine-g (879-g), supplement to the code, 1907, and to repeal section eight hundred seventy-nine-o (879-o), supplement to the code, 1907, relative to the powers and duties of river front improvement commissions, was taken up, and considered.

The bill was read for information.

Senator DeWolf moved that the rules be suspended, the reading just had be considered the third read, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balkema, Balluff, Boe, Cowles, Crist, DeWolf, Dunnegan, Fellows, Gillette, Heald, Hilsinger, Jewell, Jones, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Webber, White, Wilson of Appanoose—30.

The nays were:

Chase, Crow, Doran, Garrett, Wilson of Clinton—5.

Absent or not voting:

Allen, Ames, Clarkson, Darrah, Farr, Francis, Hagemann, Kimball, Larrabee, Ream, Smith, Spaulding, Sullivan, Taylor, Thomas—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 481.

On motion of Senator Fellows, House File No. 481, a bill for an act to amend the law as it appears in section twenty-three hundred fifty-eight (2358) of the code, relating to partition fences, was taken up, and considered.

The bill was read for information.

Senator Fellows moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Boe, Crist, Darrah, DeWolf, Doran, Farr, Fellows, Gillette, Heald, Jones, Larrabee, Malmberg, McColl, McManus, Neal, Nye, Perkins, Robinson, Savage, Schrup, Sheean, Webber, White, Wilson of Clinton—26.

The nays were:

None.

Absent or not voting:

Allen, Balkema, Balluff, Chase, Clarkson, Cowles, Crow, Dunnegan, Francis, Garrett, Hagemann, Hilsinger, Jewell, Kimball, Legel, Mattes, Quigley, Ream, Smith, Spaulding, Sullivan, Taylor, Thomas, Wilson of Appanoose—24.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 361.

On motion of Senator Heald, House File No. 361, a bill for an act to amend section two thousand twenty-two (2022) of the supplement to the code, 1907, providing for private crossings over railroads, giving the board of railroad commissioners power to make orders when the land owner and railroad company are unable to agree, was taken up, and considered.

The bill was read for information.

Senator Heald moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Balluff, Boe, Crist, Darrah, DeWolf, Doran, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Savage, Sheean, Smith, Spaulding, Webber, White, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Allen, Chase, Clarkson, Cowles, Crow, Dunnegan, Francis, Hagemann, Kimball, Larrabee, Ream, Schrup, Sullivan, Taylor, Thomas, Wilson of Appanoose—16.

So the bill having received a constituitonal majority was declared to have passed the Senate and its title was agreed to.

Senator Webber moved that the Senate request the House to return to the Senate, House File No. 49.

Carried.

Senator Webber filed the following motion:

I move to reconsider the vote by which House File No. 49 failed to pass the Senate.

J. F. WEBBER.

The Sifting committee returned to the Senate, House File No. 58.

On motion of Senator Boe, House File No. 58, a bill for an act to amend section eleven hundred eighty-two (1182) of the code of 1897, relating to the giving of bonds by public officers and requiring that bonds be given by county supervisors, was taken up, and considered.

The bill was read for information.

Senator Boe moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balkema, Balluff, Boe, Crist, Darrah, Doran, Fellows, Gillette, Heald, Hilsinger, Jewell, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Robinson, Schrup, Sheean, Smith, Spaulding, Webber, White, Wilson of Clinton—29.

The nays were:

Garrett—1.

Absent or not voting:

Allen, Ames, Chase, Clarkson, Cowles, Crow, DeWolf, Dunnegan, Farr, Francis, Hagemann, Jones, Kimball, Quigley, Ream, Savage, Sullivan, Taylor, Thomas, Wilson of Appanoose—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 441.

On motion of Senator McColl, House File No. 441, a bill for an act to regulate the sale of calcium carbide or so-called carbide and prescribe the manner in which the same shall be packed and labeled, was taken up and considered.

The bill was read for information.

Senator McColl moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balkema, Balluff, Boe, Crist, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Larrabee, Malmberg, McColl, McManus, Neal, Nye, Perkins, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Thomas, White, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

None.

Absent or not voting:

Allen, Ames, Chase, Clarkson, Cowles, Crow, DeWolf, Francis, Hagemann, Jones, Kimball, Legel, Mattes, Quigley, Ream, Sullivan, Taylor, Weber—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Perkins, House File No. 685, a bill for an act to amend the law relating to fire escapes as the same appears in section forty-nine hundred ninety-nine-a-seven (4999-a-7), supplement to the code, 1907, was taken up, and considered.

Senator Perkins 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 ayes were:

Allen, Arney, Balkema, Balluff, Boe, Chase, Cowles Darrah, Doran, Dunnegan, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Ames, Clarkson, Crist, Crow, DeWolf, Farr, Fellows, Francis, Hagemann, Kimball, Ream, Sullivan, Taylor, White—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 694.

On motion of Senator Schrup, House File No. 694, a bill for an act to legalize the incorporation of the town of Lattners, Dubuque county, Iowa, was taken up, and considered.

Senator Schrup moved that the rule by which no bill shall be read a second and third time on the same day be suspended.

Carried.

Senator Schrup 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Mattes, McColl, Neal, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Spaulding, Thomas, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Francis, Hagemann, Kimball, Malmberg, McManus, Ream, Smith, Sullivan, Taylor, Webber—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORT OF COMMITTEE.

Senator Mattes, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House File No. 647, a bill for an act for the relief of M. O. Clemens for personal injuries sustained by him while employed as engineer in the

state sanatorium for the treatment of tuberculosis at Oakdale, Iowa, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOS. MATTES,
Chairman.

Senator Heald moved that consideration of this bill be postponed until 10 o'clock tomorrow, and that it be made a special order for that time.

Carried.

HOUSE MESSAGE CONSIDERED.

House File No. 534, a bill for an act to repeal section two of chapter one hundred thirteen (113), laws of the Thirty-fourth General Assembly and section twenty-five hundred and twenty-two (2522), supplement to the code, 1907, and enact substitutes therefor, providing for the appointment of dairy and food commissioner and assistants and fixing salaries of said officers; also providing for the making of reports to the state dairy commissioner, maintaining of certain establishments in a hygenic condition, proper cleaning of utensils, and containers and providing penalties for violation thereof, regulating the sale of renovated butter or process butter; and amending section twenty-five hundred and twenty-four (2524) of the code, relating to compensation of milk agents.

Read first and second time and referred to committee on Appropriations.

Journal of April 16th was taken up, corrected and approved.

Senator Cowles moved that the Senate do now go into executive session.

Carried.

Senate went into executive session.

EXECUTIVE SESSION.

On motion, and roll call, the Senate advised and confirmed the appointment of Hon. Winfield S. Withrow, of Henry county, as judge of the supreme court, for the term ending January 1, 1915.

On motion, Senate arose from executive session.

Senate resumed regular session.

Senator Mattes offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION.

Resolved by the Senate, the House Concurring:

That all books and supplies upon the members' desks at the close of the session be turned over to the custodian of public buildings, and that he is hereby directed to place the same in a suitable condition for shipping and forward same to the home address of the respective members.

Resolved, further, that two men appointed by the Thirty-fifth General Assembly, as assistants in the office of the secretary of state be authorized to assist the cutodian in doing such work.

Unanimous consent was given to consider the resolution at this time.

Senator Mattes moved the resolution be adopted.

Adopted.

Senator Mattes offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, that the chief clerk of the House and the secreary of the Senate be required to remain at the capitol and perform their respective duties as such for a period of six days after the close of the session of the Thirty-fifth General Assembly; the assistant clerk of the House three days; the assistant secretaries of the Senate each two days; the Journal clerks of the House and the Journal clerks of the Senate each two days; the engrossing clerk of the House and the engrossing clerk of the Senate each three days; the enrolling clerk of the Senate two days; the postmistriss two days; the mail carrier two days; for the purpose of reading, correcting, arranging, preserving and certifying the records of the session and closing up the business of their respective offices and that they receive the same compensation per day for such extra time as they now receive.

Unanimous consent was given to consider the resolution at this time.

Senator Mattes moved the resolution be adopted.

Adopted.

Senator Thomas, from the committee on Compensation of Public Officers, returned to the Senate, Senate File No. 247 and same was referred to the Sifting committee.

Senator Mattes 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, APRIL 18, 1913.

Senate met in regular session at 9 o'clock a. m., President Harding presiding.

Prayer was offered by Rev. Geo. H. Kemp, Newton, Iowa.

PETITIONS AND MEMORIALS.

Senator White presented a remonstrance of citizens of Iowa county, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Malmberg presented a remonstrance of citizens of Colfax, Iowa, opposing a permanent tax commission.

Referred to committee on Ways and Means.

Senator Mattes presented a remonstrance of citizens of Carroll county, opposing any change in the school text book law.

Referred to commitee on Schools.

Senator Thomas presented a remonstrance of citizens of Union county, opposing any change in the school text book law.

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 has passed the following bill in which the concurrence of the Senate is asked:

House File No. 641, a bill for an act to repeal the law as it appears in chapter 129 of the acts of the Thirty-fourth General Assembly, relating to the prevention of the pro-creation of criminals.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 616, a bill for an act to amend the laws pertaining to the misbranding and adulteration of food products and providing appropriation for expenses of dairy and food department.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 51, a bill for an act to provide for the representation of the state of Iowa at the Panama-Pacific exposition to be held in San Francisco, Calif., and making an appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 212, a bill for an act to provide for the erection of a woman's and children's building on the Iowa state fair and exposition grounds, and to make an appropriation therefor.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 to repeal section 5256 of the Supplement to the Code, 1907, relating to the appointment, duties and compensation of the clerks of the grand jury.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 547, a bill for an act amending the law as it appears in section 2900-a23 of the Supplement to the Code, 1907, authorizing the executive council to lease lands belonging to the state of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 355, a bill for an act to amend the law as it appears in section 4975-c of the Supplement to the Code, 1907, relating to soliciting for the purpose of prostitution.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 554, a bill for an act to amend the law as it appears in section 2009 of the Code, relating to appeals from the action of the commissioners in assessing damages, where private property is taken for internal improvement.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 561, a bill for an act legalizing the acts of the city council, clerk and treasurer of the city of Belle Plaine, Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted conference committee report and the conference committee amendments to the following bill in which the concurrence of the House was asked:

Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, etc., and provide penalties for violation of the regulation, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the conference committee report and the conference committee amendment to Senate File No. 327, a bill for an act to amend section 2077 of the Supplement to the Code, 1907, relative to passenger rates.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refused to concur in Senate amendments to the following bill in which the concurrence of the House was asked:

House File No. 326, a bill for an act making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission.

A. C. GUSTAFSON,
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. 327, a bill for an act making an appropriation to enable the state railroad commission to investigate and prepare cases affecting Iowa intrastate rates and services.

A. C. GUSTAFSON,
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. 684, a bill for an act to amend section 491 of the Code relative to deputy and clerk hire in the office of treasurer, etc.

A. C. GUSTAFSON,
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. 349, a bill for an act to amend the law as it appears in section 7, chapter 169 of the Thirty-third General Assembly, relating to the compensation of the state bee inspector and make an appropriation therefor.

A. C. GUSTAFSON,
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. 261, a bill for an act to amend section 2814 of the Supplement to the Code, relative to the organization of school sites.

A. C. GUSTAFSON,
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. 687, a bill for an act to repeal sections 2823-j, 2823-k, 2823-l and 2823-m, Supplement to the Code, 1907, and enact a substitute therefor.

A. C. GUSTAFSON,
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. 514, a bill for an act to amend the law as it appears in section 3, chapter 146, of the acts of the Thirty-fourth General Assembly, relating to the payment of tuition of pupils residing in school corporations which do not offer instruction equivalent to four-year high school courses.

A. C. GUSTAFSON,
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. 346, a bill for an act to repeal sections 3543 and to enact a substitute in lieu thereof relative to the filing of a lis pendens.

A. C. GUSTAFSON,
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. 33, a bill for an act to establish legal weights and measures, etc., and to repeal acts in conflict with this act.

A. C. GUSTAFSON,
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 fix and declare the liability of persons, etc., entering into contract with the state of Iowa, or with any county, city or town, and to provide for immunity to witnesses in proceedings to establish such liability, etc.

A. C. GUSTAFSON,
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. 304, a bill for an act to amend chapter 184 of the acts of the Thirty-fourth General Assembly, relative to the suspension of the execution of the sentence of certain convicts on first conviction.

A. C. GUSTAFSON,
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. 290, a bill for an act to amend section 696 of the Supplement to the Code, 1907, relating to the prevention of nuisances, etc.

A. C. GUSTAFSON,
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. 350, a bill for an act to amend section 2734-p, Supplement to the Code, 1907, relating to the qualification of teachers.

A. C. GUSTAFSON,
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. 461, a bill for an act to amend the law relating to the destruction of weeds as it appears in sections 3 and 4 of chapter 96 of the acts of the Thirty-third General Assembly.

A. C. GUSTAFSON,
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. 335, a bill for an act to amend the law as it appears in sub-division 5, section 1709 of Supplement to the Code, 1907, relating to health, accident and liability insurance.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the House has appointed as conference committee on House File No. 639, Bingham of Emmet, Hutchins of Kossuth, Hansen of Shelby, and Jacobs of Calhoun.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution relative to the shipping of books and supplies in the homes of members of the Thirty-fifth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns as requested Senate File No. 389, a bill for an act authorizing the appointment of a board of arbitration for the settlement of disputes between employers and employees, etc.

A. C. GUSTAFSON,
Chief Clerk.

Senator Wilson of Clinton moved that a committee of three be appointed to draft suitable resolutions relative to the life and character of W. A. Cotton, of DeWitt, Iowa.

President appointed as such committee Senators Wilson of Clinton, Larrabee ofd Clarkson.

HOUSE MESSAGES CONSIDERED.

House File No. 641, a bill for an act to repeal the law as it appears in chapter one hundred twenty-nine (129) of the acts of the thirty-fourth general assembly, and to enact a substitute therefor relating to the prevention of the procreation of criminals, rapists, idiots, feeble-minded, imbeciles, lunatics, drunkards, drug fiends, epileptics, syphilitics, moral and sexual perverts, and diseased and degenerate persosn.

Read first and second time and referred to Sifting committee.

House File No. 616, a bill for an act to amend the laws pertaining to the misbranding and adulteration of food products and providing appropriation for expense of dairy and food department.

Read first and second time and referred to committee on Appropriations.

House File No. 51, a bill for an act to provide for the representation of the state of Iowa at the Panama-Pacific International Exposition to be held at San Francisco, California, celebrating the opening and commercial use of the Panama canal and making an appropriation therefor.

Read first and second time and referred to committee on Appropriations.

House File No. 326, a bill for an act making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission.

Read first and second time.

Senator Jones moved that the Senate insist on its amendments to House File No. 326 and ask for a conference committee.

Carried.

President appointed as such conference committee on the part of the Senate, Senators Mattes, Jones, McColl and Schrup.

House File No. 327, a bill for an act making an appropriation to enable the state railroad commission to investigate and prepare cases affecting Iowa intrastate rates and services.

Senator Jones moved that the Senate insist on its amendments and ask for a conference committee.

Carried.

President appointed as such conference committee on the part of the Senate, Senators Mattes, Jones, McColl and Schrup.

Senate File No. 389, a bill for an act authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employees, providing the powers, duties and compensation of such board and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making apropriation therefor.

Passed on file.

CONCURRENT RESCLUTION.

Resolved by the House, the Senate concurring, that all books and supplies upon the members' desks at the close of the session, be turned over to the custodian of public buildings, and that he is hereby directed to place the same in a suitable condition for shipping and forwarding same to the home address of the respective members.

Resolved further, that two men appointed by the Thirty-fifth General Assembly as assistants in the office of the sercetary of state, be authorized to assist the custodian in doing such work.

Senator Mattes moved that the Senate concur in House Concurrent Resolution.

Carried.

Senator Mattes by unanimous consent withdrew the resolution offered by him yesterday relative to shipping home book and desk supplies of members.

Senator Kimball moved that the Senate request the House to return to the Senate, Senate File No. 406.

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 amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 104, a bill for an act to amend the law as it appears in paragraph 4 of section 1850, Supplement to the Code, 1907, relating to the investment of funds by savings banks.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the conference committee report and conference committee amendments to 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 2472 of the Supplement to the Code and section 2474 of the Code, etc., all relating to the bureau of labor statistics, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 695, a bill for an act to create in each township a special culvert fund for the year of 1913 to defray the cost of culverts constructed by the board of supervisors during 1913 upon the township road system.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the report of the conference committee on:

Senate File No. 477, a bill for an act to appropriate money for the purpose of defraying expenses incurred in the election contests in the 19th and 46th snatorial districts of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns as requested:

House File No. 49, a bill for an act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, etc.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

Senate File No. 104, a bill for an act to amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850) supplement to the code of 1907, relating to the investment of funds by saving banks.

Read first and second time.

Senator Farr moved that the Senate concur in the following House amendments:

HOUSE AMENDMENT.

Insert after the word "estate" and before word "except" in line 9 the following: "located outside of Iowa."

On the question, "Shall the Senate concur in House amendments.

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Darrah, Doran, Dunnegan, Farr, Fellows, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, McColl, McManus, Neal, Nye, Quigley, Ream, Schrup, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose—33.

The nays were:

None.

Absent or not voting:

Chase, Cowles, Crist, Crow, DeWolf, Francis, Garrett, Gillette, Hagemann, Legel, Mattes, Perkins, Robinson, Savage, Smith, Taylor, Wilson of Clinton—17.

So the House amendments having received a constitutional majority were declared concurred in.

HOUSE MESSAGES CONSIDERED.

House File No. 695, a bill for an act to create in each township a special culvert fund for the year of 1913, to defray the cost of culverts constructed by the board of supervisors during 1913 upon the township road system.

Read first and second time and passed on file.

THIRD READING OF BILLS.

On motion of Senator Balkema, House File No. 695, a bill for an act to create in each township a special culvert fund for the year of 1913, to defray the cost of culverts constructed by the board of supervisors during 1913 upon the township road system, was taken up and considered.

Senator Balkema moved that the rule by which no bill shall be read the second and third time the same day be suspended.

Carried unanimously.

Senator Balkema moved that the rule be suspended, the bill be read a third time, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crow, Darrah, Farr, Fellows, Garrett, Gillette, Heald, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—37.

The nays were:

Doran—1.

Absent or not voting:

Cowles, Crist, DeWolf, Dunnegan, Francis, Hagemann, Hilsinger, Legel, Ream, Savage, Smith, Taylor—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

Senator Allen moved that the Senate request the Sifting committee to return to the Senate, House File No. 308.

On this motion a roll call was demanded.

Those favoring the motion were:

Allen, Arney, Chase, Clarkson, Crow, Darrah, Doran, Garrett, Malmberg, McColl, Ream, Robinson, Schrup, Sheean, Spaulding, White, Wilson of Appanoose—17.

The nays were:

Balkema, Balluff, Boe, Cowles, Crist, DeWolf, Dunnegan, Fellows, Francis, Gillette, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Mattes, Perkins, Savage, Sullivan, Taylor, Webber, Wilson of Clinton—23.

Absent or not voting:

Ames, Farr, Hagemann, Heald, McManus, Neal, Nye, Quigley, Smith, Thomas—10.

So the motion was lost.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined and find correctly enrolled:

Senate File No. 277, a bill for an act to authorize the use and expenditure of the sinking fund provided for in chapter five (5) of title V of the Code.

Also:

Senate File No. 471, a bill for an act to amend the law as it appears in section two hundred ninety-eight (298) of the Supplement to the Code, 1907, as amended by chapter sixteen (16) of the acts of the thirty-third general assembly, relating to the compensation of clerks of the district court and their deputies.

Also:

Senate File No. 280, a bill for an act providing for the employment of prisoners upon the highways of this state, or in the construction and improvement of any public works.

Also:

Senate File No. 3, a bill for an act relating to employers' liability for personal injury sustained by employees in line of duty, fixing compensation therefor, securing the payment thereof, providing for the appointment of a comississioner and defining his duties.

Also:

Senate File No. 200, a bill for an act to enable the state of Iowa to assist in the celebration of the fifthieth anniversary of the battle of Gettysburg, and to appropriate therefor and provide for the disbursement thereof.

Also:

Senate File No. 295, a bill for an act to amend the law as it appears in section nine (9) chapter one hundred fifty-three (153) acts of the Thirty-third General Assembly, relating to the protection of fish and game; and to amend the law as it appears in chapter one hundred sixteen (116) of the acts of the Thirty-fourth General Assembly, relating to the compensation of the fish and game warden.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report the have examined and find correctly enrolled:

House File No. 278, a bill for an act to amend the law as it appears in section twenty-four hundred twenty-eight (2428) of the Code, relating to the duties of peace officers.

Also:

House File No. 300, a bill for an act to amend the law as it appears in section four thousand seven hundred and ninety-nine-a (4799-a) of the Supplement to the Code,, 1907, relating to burglary with explosives.

Also:

House File No. 413, a bill for an act to amend the law as it appears in section twenty-eight hundred six (2806), Supplement to the Code, 1907, and chapter one hundred eighty-two (182) of the acts of the Thirty-third General Assembly, relating to school taxes and to increase the amount that may be levied in the teachers' fund and the contingent fund.

Also:

House File No. 505, a bill for an act to amend section two thousand five hundred forty (2540) Supplement to the Code, 1907, and chapter one hundred fifty-three (153) acts of the Thirty-third General Assembly, relating to season during which fish may be taken.

Also:

House File No. 528, a bill for an act to amend the law as it appears in section two (2) of chapter seventy (70), acts of the Thirty-fourth (34th) General Assembly, relating to the dragging of public roads.

Also:

House File No. 611, a bill for an act authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employes, providing the powers, duties and compensation of such board and setting forth the manner in which the

investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making appropriation therefor.

Also:

House File No. 671, a bill for an act to authorize the construction of a business men's coliseum and convention hall over the Cedar river in the city of Waterloo, Iowa.

Also:

House File No. 650, a bill for an act to amend the law as it appears in section twenty-five hundred eighty-three-c (2583-c), supplement to the code, 1907, relating to the practice of osteopathy.

Also:

House File No. 547, a bill for an act to amend the law as it appears in section twenty-five hundred ninety-four (2594) of the code relating to licensing itinerant vendors of drugs.

Also:

House File No. 431, a bill for an act to repeal section eight hundred fifty-c (850-c) of the Supplement to the Code, 1907, as amended by chapter fifty-seven (57) of the acts of the Thirty-third General Assembly and chapter forty-four (44) acts of the Thirty-fourth General Assembly relating to the tax levy for park purposes, and to enact a substitute therefor.

Also:

House File No. 553, a bill for an act to repeal section three thousand five hundred thirty-eight (3538) of the code, and to enact a substitute therefor, relative to the bringing of actions against unknown defendants.

Also:

House File No. 524, a bill for an act to authorize and empower the governor of the state of Iowa to issue a land patent attested by the secretary of state, to Albert Husa, conveying certain real estate in Johnson county, Iowa, more particularly described as lot seven (7), block fifty-five (55), Iowa City, Iowa.

Also:

House File No. 667, a bill for an act to amend section one (1) of chapter one hundred forty-five (145) acts of the Thirty-fourth (34th) General Assembly, relative to the limit of indebtedness of independent school districts.

Also:

House File No. 518, a bill for an act providing for the entry of an order by the district court requiring a person in this state to attend and give testimony in a criminal action pending in another state after a petition

has been filed in the office of the clerk of said court, and the person given an opportunity to be heard in opposition thereto, and providing punishment for failing to do so.

Also:

Senate File No. 3, a bill for an act relating to employers' liability for personal injury sustained by employees in line of duty, fixing compensation therefor, securing the payment thereof, providing for the appointment of a comisssissioner and defining his duties.

Also:

Senate FileNo. 200, a bill for an act to enable the state of Iowa to assist in the celebration of the fifthieth anniversary of the battle of Gettysburg, and to appropriate therefor and provide for the disbursement thereof.

Also:

Senate File No. 295, a bill for an act to amend the law as it appears in section nine (9) chapter one hundred fifty-three (153) acts of the Thirty-third General Assembly, relating to the protection of fish and game; and to amend the law as it appears in chapter one hundred sixteen (116) of the acts of the Thirty-fourth General Assembly, relating to the compensation of the fish and game warden.

Also:

Senate File No. 277, a bill for an act to authorize the use and expenditure of the sinking fund provided for in chapter five (5) of title V of the Code.

Also:

Senate File No. 471, a bill for an act to amend the law as it appears in section two hundred ninety-eight (298) of the Supplement to the Code, 1907, as amended by chapter sixteen (16) of the acts of the thirty-third general assembly, relating to the compensation of clerks of the district court and their deputies.

Also:

Senate File No. 280, a bill for an act providing for the employment of prisoners upon the highways of this state, or in the construction and improvement of any public works.

JOHN H. TAYLOR,
Chairman Senate Committee.
W. W. ANDERSON,
Chairman House Committee.

Adopted.

HOUSE MESSAGE CONSIDERED.

House File No. 49, a bill for an act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the state dairy and food commissioner in relation thereto.

Passed on file.

Senator Gillette was called to the chair at 10:50 A. M.

THIRD READING OF BILLS.

The time for Special Order having arrived, House File No. 647, a bill for an act for the relief of M. O. Clemens for personal injuries sustained by him while employed as engineer in the state sanatorium for the treatment of tuberculosis at Oakdale, Iowa, with report of committee on Appropriations recommending indefinite postponement, was taken up and considered.

Senator Kimball moved that the rule be suspended and that the time of Senator Heald be extended ten minutes.

Motion lost.

President Harding resumed the chair at 11:55.

Senator Kimball raised the point of order that it only required two-thirds of those voting to suspend the rules.

President held the point well taken and decided Senator Heald entitled to ten minutes more time.

Senator Kimball moved the previous question.

Carried.

On the adoption of the report of the committee a roll call was demanded.

Those favoring the adoption of the report of the committeee were:

Farr, Fellows, Gillette, Jewell, Jones, Larrabee, Legel, McColl, Robinson, Spaulding, Webber, Wilson of Clinton—12.

The nays were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Darrah, Doran, Dunnegan, Francis, Garrett, Heald, Hilsinger, Kimball, Malmberg, McManus, Neal, Nye, Perkins, Quigley, Ream, Shoean, Taylor, Thomas, White, Wilson of Appanoose—27.

Absent or not voting:

Balluff, Cowles, Crist, Crow, De Wolf, Hagemann, Mattes, Savage, Schrup, Smith, Sullivan—11.

So the report of the committee was rejected.

Senator Heald offered the following amendment and moved its adoption.

I move that all after the enacting clause in the original bill be stricken out and the following substituted.

Section 1. There is hereby appropriated from any moneys in the state treasury not otherwise appropriated, the sum of one thousand ($1,000.00) dollars to indemnify M. O. Clemens in full for damages sustained by him on account of injuries received while employed as engineer in the state sanatarium for the treatment of tubeculosis at Oakdale, Iowa.

Sec. 2. This act bein deemed of immediate importance shall be in force and effect from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Adopted.

Senator Heald moved that the rule be suspended, the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Crow, Darrah, DeWolf, Doran, Dunnegan, Francis, Garrett, Gillette, Heald, Hilsinger, Kimball, Larrabee, Malmberg, Mattes, McManus, Neal, Nye, Perkins, Quigley, Ream, Sheean, Smith, Sullivan, Taylor, Thomas, White, Wilson of Appanoose—34.

The nays were:

Balluff, Cowles, Farr, Fellows, Jewell, Jones, Legel, McColl, Robinson, Schrup, Spaulding, Webber, Wilson of Clinton—13.

Absent or not voting:

Crist, Hagemann, Savage—3.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

THIRD READING OF BILLS.

On motion of Senator Mattes Senate Joint Resolution No. 15 fixing the number and compensation of employes in the Department of State at the seat of government was taken up, and considered.

The bill was read for information.

Senator Arney offered the following amendment and moved its adoption:

"I move to amend page 2403 referring to office of Library Commission in line one, following the words 'one secretary at a salary not to exceed $1,600.00,' by inserting the figures '$1,800.00.'."

Lost.

Senator Doran offered the following amendment and moved its adoption.

"I move to make the salary of the chief clerk in the Insurance Department not to exceed ($2,000.00) two thousand dollars.

Lost.

Senator Mattes moved that the rules be suspended, the Joint Resolution be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the Joint Resolution pass?"

The ayes were:

Allen, Ames, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Darah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Robinson, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber, Wilson of Appanoose, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Arney, Crist, Crow, Hagemann, Heald, Jewell, Kimball, McManus, Perkins, Quigley, Ream, Savage, Thomas, White—14.

So the Joint Resolution having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

HOUSE FILES SIGNED.

President announced that as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 518, 667, 650, 547, 553, 431, 524, 611, and 671.

SENATE FILES SIGNED.

President announced that as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 3, 200, 295, 277, 471 and 280.

RETRENCHMENT AND REFORM COMMITTEE.

President announced that under the provisions of House File No. 519, providing for the appointment from the minority party of additional members to the Committee on Retrenchment and Reform, he would appoint Senators Wilson of Clinton and DeWolf of Black Hawk.

Senator Balkema moved that the Senate do now adjourn until 1:30 P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P. M.

President Harding 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 amended and passed the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurent Resolution relative to certain employes of the Thirty-fifth General Assembly remaining after adjournment.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House appointed as conference committee on the following bill:

House File No. 327, a bill for an act making an appropriation to enable the state railroad commission to investigate and prepare cases affecting Iowa intrastate rates and services, Representatives Brockway of Louisa, Bernbrock of Waterloo, Hansen of Shelby and Sherman of Poweshiek.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has appointed as conference committee on the following bill:

House File No. 326, a bill for an act making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission, Representatives Brockway of Louisa, Bernbrock of Blackhawk, Hansen of Shelby and Sherman of Poweshiek.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 482, a bill for an act to confer additional powers upon certain cities organized under chapter 48 of the acts of the Thirty-second General Assembly as the same appears in chapter 14-c of title V of the Supplement to the Code, 1907, providing for the levy of a special tax for the purchase and maintenance of apparatus and equipment for use in police service in the department of public safety.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 381, a bill for an act to repeal section 5 of chapter 94 of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the duty of commerce council.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 548, a bill for an act to legalize the issuance of $18,000, sewer outlet and disposal or purifying plant bonds of the city of Valley Junction.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 amend section 4612 of the Code relating to criminating questions propounded to witnesses in certain cases.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 relating to levees, drains, ditches and water courses, additional to chapter 2, title 10 of the Code and amendments theerto.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 483, a bill for an act to confer certain powers on cities organized under chapter 48 of the acts of the Thirty-second General Assembly as same appears in chapter one (1) 14c of title five of the Code and Code Supplement.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 462, a bill for an act to amend the law as it appears in section 915 of the Supplement to the Code, 1907, relative to the attaching and recording of the abstract of title to platted premises.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 559, a bill for an act for the purpose of having patent issued in the name of Chas. Martin for certain tract of land.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

Senate Concurrent Resolution relative to certain employes of the 35th General Assembly remaining after adjournment.

HOUSE AMENDMENT.

Amend by striking out the word "two "in line 8 and insert in lieu thereof the word "three".

Senator Mattes moved that the Senate concur in House amendment.

Carried.

House File No. 462, a bill for an act to amend the law as it appears in section nine hundred fifteen (915) of the Supplement to the Code, 1907, relative to the attaching and recording of the abstract of title to plated premises.

Read first and second time and referred to Sifting Committee.

Senator Balkema offered the following motion and moved its adoption.

MR. PRESIDENT—I move that 20,000 copies of Senate File No. 439, a bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to create a system of county and township road, bridge and culvert construction and maintenance, ad to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employers with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the Supplement to the Code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to county road building fund, with all Senate and House amendments thereto, be printed in pamphlet form, and that the pamphlets when so printed be immediately distributed over the state from the office of the secretary of state in quantities of not less than two hundred (200) to be sent to the county auditor of each county in the state and to be distributed by said county auditors to th various road authorities of their respective county and township.

That an exact copy of the enrolled bill be delivered to the printer and that the same be printed upon requistion of the secretary of the Senate and that when printed the secretary of state be instructed to proof read certify and attest the same and that they be delivered to the secretary of the state for immediate distribution as above provided.

Carried unanamously.

THIRD READING OF BILLS.

The Sifting Committee returned to the Senate, House File No. 334.

On motion of Senator DeWolf, House File No. 334, a bill for an act to provide for the planting, care and protection of orna-

mental and shade trees on all residence streets of cities of the first and second classes, towns, special charter cities and cities under the commission form of government; and penalties for violation, etc., was taken up and considered.

Senator Balluff offered the following amendment and moved its adoption:

"I move to amend House File No. 334 by striking out of section one (1) the words "and special charter cities." "

Adopted.

Senator Smith moved that the enacting clause be stricken out.

Motion lost.

Senator DeWolf 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 ayes were:

Balkema, Crist, DeWolf, Farr, Gillette, Hilsinger, Larrabee, Legel, Malmberg, Mattes, McColl, Perkins, Savage, Sheean, Sullivan, Thomas, Webber—17.

The nays were:

Arney, Bee, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Jewell, Jones, Neal, Nye, Quigley, Ream, Robinson, Smith, Spaulding, Taylor, Wilson of Appanoose, Wilson of Clinton—23.

Absent or not voting:

Allen, Ames, Baluff, Francis, Hagemann, Heald, Kimball, McManus, Schrup, White—10.

So the bill having failed to receive a constitutional majority was declared lost.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined and find correctly enrolled:

Substitute for Senate File No. 209, a bill for an act to amend the law as it appears in section four thousand five hundred eighty-five (4585) of the Code, relative to the making of a transcript from the docket and judgment of a justice of the peace where a vacancy exists.

Also:

Senate File No. 520, a bill for an act to legalize the ordinances, resolutions and amendments to ordinances and resolutions passed and adopted by the acts of the town council of the town of Buffalo, Scott county, Iowa, since the passage of an act relating to the organization of cities and towns, and known as chapter twenty-six (26) of the acts of the Thirty-second (32d) General Assembly of the state of Iowa.

Also:

Senate File No. 552, a bill for an act to amend the law relating to the taking of private property for works of internal improvement as the same appears in section twenty-hundred twenty-four-d (2024-d) Supplement to the Code, 1907.

Also:

Substitute for Senate File No. 186, a bill for an act to repeal section four hundred seventy-nine (479) Supplement to the Code, 1907, and to enact a substitute therefor, relating to the compensation of county auditors.

Also:

Senate File No. 329, a bill for an act to establish a minimum wage for teachers in the public schools of the state, prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same.

Also:

Senate File No. 546, a bill for an act to enable benefited property to aid in the construction of trolley or electric railroads or the electrification of steam railroads, being additional to chapter five (5) of title ten (10) of the Code, as amended.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the Joint Committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

House File No. 548, a bill for an act to amend section one (1) of chapter one hundred eighty-four (184) of the acts of the Thirty-third General Assembly as amended by section one (1) of chapter one hundred forty-five (145) of the acts of the Thirty-fourth General Assembly, and to amend section two (2) of chapter one hundred eighty-four (184) of the acts of the Thirty-third General Assembly as amended by section two (2) of chapter one hundred forty-five (145) of the acts of the Thirty-fourth General Assembly, relative to the limit of indebtedness of independent school districts.

Also:

House File No. 682, a bill for an act to amend section thirty-one hundred thirty-eight (3138) of the Supplement to the Code, 1907, as amended by chapter one hundred ninety-five (195) of the acts of the Thirty-third General Assembly, relating to the care of property belonging to guests of hotels and inns and to the lien of hotel and innkeepers thereon.

Also:

House File No. 574, a bill for an act to repeal section five hundred forty-nine (549) of the Code and to enact a substitute therefor, relating to the publication of notice.

Also:

House File No. 489, a bill for an act to repeal section two hundred ninety-three (293) of the Code, and chapter three (3) of the acts of the Thirty-third General Assembly, and to enact a substitute therefor relating to the keeping of criminal statistics by the clerk of the district court and the reporting of same to the board of parole.

Also:

House File No. 69, a bill for an act to authorize the repayment to the estate of W. R. Benton of money paid to the state of Iowa.

Also:

House File No. 201, a bill for an act establishing the state colony for epileptics and making provision for the purchase of land and the erection of buildings for said colony.

Also:

House File No. 261, a bill for an act to amend section twenty-eight hundred and fourteen (2814) of the Supplement to the Code, 1907, relative to the acquisition of school sites.

Also:

House File No. 170, a bill for an act to encourage the dairy and beef cattle growing industries of the state of Iowa and to aid in providing instruction in practical and scientific methods and making an appropriation therefor.

Also:

House File No. 304, a bill for an act to amend chapter one hundred eighty-four (184), of the acts of the Thirty-fourth (34th) General Assembly relative to the suspension of the execution of the sentence of certain convicts of first conviction.

Also:

House File No. 335, a bill for an act to amend the law as it appears in subdivision five (5) section one thousand seven hundred and nine (1709) of the Supplement to the Code, 1907, relating to health, accident and liability insurance.

Also:

House File No. 346, a bill for an act to repeal sections thirty-five hundred forty-three (3543) and to enact a substitute in lieu thereof relative to the filing of a lis pendens.

Also:

House File No. 687, a bill for an act to repeal sections twenty-eight hundred twenty-three-j (2823-j), twenty-eight hundred twenty-three-k (2823-k), twenty-eight hundred twenty-three-l (2823-l), and twenty-eight hundred twenty-three-m (2823-m), Supplement to the Code, 1907, and enact a substitute therefor relating to the publication and distribution of school laws.

JOHN H. TAYLOR,
Chairman Senate Committee.
W. W. ANDERSON,
Chairman House Committee.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor 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. 3, a bill for an act relating to employers' liability for personal injury sustained by employees in line of duty, fixing compensation therefor, securing the payment thereof, providing for the appointment of a comississioner and defining his duties.

Also:

Senate FileNo. 200, a bill for an act to enable the state of Iowa to assist in the celebration of the fifthieth anniversary of the battle of Gettysburg, and to appropriate therefor and provide for the disbursement thereof.

Also:

Senate File No. 295, a bill for an act to amend the law as it appears in section nine (9) chapter one hundred fifty-three (153) acts of the Thirty-third General Assembly, relating to the protection of fish and game; and to amend the law as it appears in chapter one hundred sixteen (116) of the acts of the Thirty-fourth General Assembly, relating to the compensation of the fish and game warden.

Also:

Senate File No. 277, a bill for an act to authorize the use and expenditure of the sinking fund provided for in chapter five (5) of title V of the Code.

Also:

Senate File No. 471, a bill for an act to amend the law as it appears in section two hundred ninety-eight (298) of the Supplement to the Code, 1907, as amended by chapter sixteen (16) of the acts of the thirty-third general assembly, relating to the compensation of clerks of the district court and their deputies.

Also:

Senate File No. 280, a bill for an act providing for the employment of prisoners upon the highways of this state, or in the construction and improvement of any public works.

JOHN H. TAYLOR,
Chairman.

Adopted.

THIRD READING OF BILLS.

The Sifting committee returned to the Senate, Senate File No. 462.

On motion of Senator Webber, Senate File No. 462, a bill for an act to provide for the appointment of a commission to select and draw grand and petit jurors including talesman, in all counties having a population of over twenty thousand (20,000) and prescribing the duties thereof, was taken up and considered.

Senator Webber offered the following amendment and moved tsi adoption:

I move to amend Senate File No. 462 by striking from line one of section one the words "poulation exceeding" and inserting the words, "city of more than."

Lost.

Senator Doran moved as an amendment to the amendment to strike out the enacting clause.

Senator Clarkson arose to a point of order that the amendment was not an amendment to the amendment and was therefore not germaine to the subject.

President held the point of order well taken.

Senator Balkema moved the previous question.

Carried.

The amendment offered by Senator Webber was lost.

Senator Webber 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 ayes were:

Allen, Arney, Boe, Clarkson, DeWolf, Kimball, Larrabee, Legel, McColl, Perkins, Savage, Schrup, Smith, Sullivan, Taylor, Webber, White, Wilson of Appanoose, Wilson of Clinton—19.

The nays were:

Ames, Balkema, Balluff, Chase, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hilsinger, Jewell, Jones, Neal, Nye, Quigley, Ream, Robinson, Sheean, Thomas—24.

Absent or not voting:

Francis, Hagemann, Heald, Malmberg, Mattes, McManus, Spaulding—7.

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. 678, a bill for an act to amend section 5077-a21, of the Supplement to the Code, 1907, fixing the standard of purity and viability of seeds.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 repeal section 495 of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to the duties and compensation of county recorder.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 698, a bill for an act to amend the law as the same appears in chapter 2, acts of the Thirty-fourth General Assembly, authorizing the executive council to pay court costs.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

The Sifting Committee returned to the Senate Senate File No. 247.

On motion of Senator Sullivan, Senate File No. 247, a bill for an act to amend section five hundred ten-b (510-b) supplement to the code, 1907, relating to sheriffs, deputy sheriffs and their compensation, was taken up and considered.

Senator Sullivan 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 ayes were:

Balluff, Boe, Chase, Clarkson, Cowles, Crow, DeWolf, Doran, Dunnegan, Garrett, Gillette, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, McColl, McManus, Neal, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

Farr—1.

Absent or not voting:

Allen, Ames, Arney, Balkema, Crist, Darrah, Fellows, Francis, Hagemann, Heald, Malmberg, Mattes, Nye, Schrup—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 693.

On motion of Senator Mattes, House File No. 693, a bill for an act to confirm the title of Jacob Arnold to the south half of the southwest quarter of section No. 20, township No. 85, north, range No. 30, west 5th P. M., Greene county, Iowa, and authorizing the issuance of a patent therefor, was taken up and considered.

Senator Mattes 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?"

Ames, Arney, Balkema, Balluff, Boe, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Heald, Hilsinger, Jones, Kimball Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Allen, Chase, Cowles, DeWolf, Francis, Gillette, Hagemann, Jewell, McManus, Nye, Smith, Webber—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate House File No. 451.

On motion of Senator McMaius, House File No. 451, a bill for an act amending the law as it appears in subdivision one, section 1304, of the code of 1907, and supplement thereto, relating to exemption of different classes of property, was taken up and considered.

Senator McManus 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 ayes were:

Ames, Arney, Balkema, Clarkson, Cowles, Crist, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Hilsinger, Jones, Larrabee, Legel, Malmberg, McManus, Neal, Perkins, Quigley, Ream, Robinson, Schrup, Sheean, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Boe, Chase, Crow, Francis, Hagemann, Heald, Jewell, Kimball, Mattes, McColl, Nye, Savage, Smith, Webber—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Substitute for Senate File No. 209, a bill for an act to amend the law as it appears in section four thousand five hundred eight-five (4585) of the Code, relative to the making of a transcript from the docket and judgment of a justice of the peace where a vacancy exists.

Also:

Senate File No. 520, a bill for an act to legalize the ordinances, resolutions and amendments to ordinances and resolutions passed and county, Iowa, since the passage of an act relating to the organization of cities and towns, and known as chapter twenty-six (26) of the acts of the Thirty-second (32d) General Assembly of the state of Iowa.

Also:

Senate File No. 552, a bill for an act to amend the law relating to the taking of private property for works of internal improvement as the same appears in section twenty-hundred twenty-four-d (2024-d) Supplement to the Code, 1907.

Also:

Substitute for Senate File No. 186, a bill for an act to repeal section four hundred seventy-nine (479) Supplement to the Code, 1907, and to enact a substitute therefor, relating to the compensation of county auditors.

Also:

Senate File No. 329, a bill for an act to establish a minimum wage for teachers in the public schools of the state, prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same.

Also:

Senate File No. 546, a bill for an act to enable benefited property to aid in the construction of trolley or electric railroads or the electrification of steam railroads, being additional to chapter five (5) of title ten (10) of the Code, as amended.

JOHN H. TAYLOR,
Chairman Senate Committee.
W. W. ANDERSON,
Chairman House Committee.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate File No. 104, a bill for an act to amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850) Supplement to the Code, 1907, relating to the investment of funds by savings banks.

Also:

Senate File No. 550, a bill for an act providing for the levy of special taxes upon the assessed valuation of the taxable property of the state for the erection and improvement of buildings, for appurtenances and connects for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for feeble-minded children, state sanatorium for the treatment of tuberculosis, state industrial schools, state hospitals, penitentiary, reformatory, state colony for epileptics, Iowa industrial reformatory for females and district custodial farm, and for the purchase of land and to develop and maintain industries, and repeal acts and parts of acts in conflict with this act.

Also:

Senate File No. 333, a bill for an act providing for the license of certain classes of temporary or transient merchants doing business in cities or incorporated towns, defining the same and the manner of issuing licenses, regulating and advertising and representation of such merchants and providing for penalties for the violation thereof.

Also:

Senate File No. 212, a bill fo ran act to provide for the erection of a women's and children's building on the Iowa state fair and exposition grounds, and to make an appropriation therefor.

Also:

Senate File No. 554, a bill for an act to amend the law as it appears in section two thousand nine (2009) of the Code relating to appeals from the action of the commissioners in assessing damages where private property is taken for works of internal improvement.

Also:

Senate File No. 547, a bill for an act amending the law as it appears in section twenty-nine hundred-a-twenty-three (2900-a23) of the Supplement to the Code, 1907, authorizing the executive council to lease lands belonging to the state of Iowa.

Also:

Senate File No. 355, a bill for an act to amend the law as it appears in section four thousand nine hundred seventy-five-c (4975-c) of the Supplement to the Code, 1907, relating to soliciting for the purpose of prostitution.

Also:

Substitute for Senate File No. 37, a bill for an act to repeal section five thousand two hundred fifty-six (5256) of the Supplement to the Code, 1907, relating to the appointment, duties and compensation of the clerks of the grand jury, and enacting a substitute therefor.

Also:

Substitute for Senate File No. 325, a bill for an act to repeal section two thousand nine hundred thirty (2930) Supplement to the Code, 1907, relating to the platting and transferring of real estate.

JOHN H. TAYLOR,
Chairman.

Adopted.

HOUSE FILES SIGNED.

The President announced that as President of the Senate he had signed in the presence of the Senate, House Files Nos. 682, 170, 574, 548, 489, 335, 346, 261, 304, 201, 687 and 69.

SENATE FILES SIGNED.

The President announced that as President of the Senate he had signed in the presence of the Senate, Senate File Nos. 186, 329, 546, 209, 520 and 552.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the committee on Enrolled Bille, 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:

Substitute for Senate File No. 209, a bill for an act to amend the law as it appears in section four thousand five hundred eighty-five (4585) of the Code, relative to the making of a transcript from the docket and judgment of a justice of the peace where a vacancy exists.

Also:

Senate File No. 520, a bill for an act to legalize the ordinances, resolutions and amendments to ordinances and resolutions passed and adopted by the acts of the town council of the town of Buffalo, Scott county, Iowa, since the passage of an act relating to the organization of cities and towns, and known as chapter twenty-six (26) of the acts of the Thirty-second (32d) General Assembly of the state of Iowa.

Also:

Senate File No. 552, a bill for an act to amend the law relating to the taking of private property for works of internal improvement as the same appears in section twenty-hundred twenty-four-d (2024-d) Supplement to the Code, 1907.

Also:

Substitute for Senate File No. 186, a bill for an act to repeal section four hundred seventy-nine (479) Supplement to the Code, 1907, and to enact a substitute therefor, relating to the compensation of county auditors.

Also:

Senate File No. 329, a bill for an act to establish a minimum wage for teachers in the public schools of the state, prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same.

Also:

Senate File No. 546, a bill for an act to enable benefited property to aid in the construction of trolley or electric railroads or the electrification of steam railroads, being additional to chapter five (5) of title ten (10) of the Code, as amended.

JOHN H. TAYLOR,
Chairman.

Passed on file.

THIRD READING OF BILLS.

The Sifting committee returned to the Senate, House File No. 476.

On motion of Senator Spaulding, House File No. 476, a bill for an act to amend section one (1) of chapter forty-three (43) of the Thirty-fourth General Assembly relating to street improvements in towns, and to the levy of special taxes therefor, was taken up and considered.

Senator Spaulding moved that the rule be suspended, the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Balkema, Balluff, Boe, Crow, Darrah, DeWolf, Doran, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Legel, Malmberg, Neal, Perkins, Quigley, Ream, Robinson, Sheean, Spaulding, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—28.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Chase, Clarkson, Cowles, Crist, Dunnegan, Farr, Francis, Hagemann, Kimball, Larrabee, Mattes, McColl, McManus, Nye, Savage, Schrup, Smith, Taylor, Webber—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 338.

On motion of Senator Darrah, House File No. 338, a bill for an act to amend section one (1), of chapter one hundred eighty-three (183), of the acts of the Thirty-fourth General Assembly, defining vagrancy, was taken up, and considered.

Senator Darrah 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 ayes were:

Ames, Arney, Balkema, Boe, Crow, Darrah, Doran, Dunnegan, Farr, Hilsinger, Jewell, Jones, Larrabee, Legel, Mattes, McColl, McManus, Neal, Perkins, Quigley, Robinson, Savage, Schrup, Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—28.

The nays were:

Gillette, Ream, Sheean—3.

Absent or not voting:

Allen, Balluff, Chase, Clarkson, Cowles, Crist, DeWolf, Fellows, Francis, Garrett, Hagemann, Heald, Kimball, Malmberg, Nye, Smith, Spaulding, Taylor, Webber—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 404.

On motion of Senator McManus, House File No. 404, a bill for an act to amend section eight hundred sixteen (816) of the code, relating to lien of tax, was taken up, and considered.

Senator McManus 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 ayes were:

Ames, Arney, Balkema, Balluff, Boe, Darrah, Doran, Dunnegan, Fellows, Gillette, Jones, Legel, Malmberg, Mattes, McManus, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding Sullivan, Thomas, White, Wilson of Appanoose, Wilson of Clinton—29.

The nays were:

None.

Absent or not voting:

Allen, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Farr, Francis, Garrett, Hagemann, Heald, Hilsinger, Jowell, Kimball, Larrabee, McColl, Neal, Nye, Taylor, Webber—21.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

The Sifting Committee returned to the Senate, House File No. 535.

On motion of Senator McColl, House File No. 535, a bill for an act to prevent fraud in the manufacture and sale of commercial fertilizers, providing for licensing of such products and making provisions for enforcement, was taken up and considered.

Senator McColl moved that the rule be suspended, the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Fellows, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Perkins, Robinson, Schrup, Spauding, Sullivan, Thomas, Wilson of Clinton—28.

The nays were:

Balluff, Dunnegan, Farr, Garrett, Quigley, Ream, White—7.

Absent or not voting:

Allen, Chase, Cowles, Francis, Gillette, Hagemann, Jewell, McManus, Neal, Nye, Savage, Sheean, Smith, Taylor, Webber—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting Committee returned to the Senate, House File No. 515.

On motion of Senator Ames, House File No. 515, a bill for an act to amend section thirteen hundred four (1304) of the supplement to the Code, 1907, as amended by chapter sixty-one (61) of the acts of the Thirty-fourth General Assembly relating to the exemption of certain classes of property from taxation, was taken up, and considered.

Senator Ames moved that the rule be suspended, the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Arney, Balkema, Boe, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Gillette, Hilsinger, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Allen, Balluff, Chase, Cowles, Farr, Fellows, Francis, Garrett, Hagemann, Heald, McManus, Nye, Sheean, Taylor, Webber, White —16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

The Sifting Committee returned to the Senate, House File No. 11.

On motion of Senator Sullivan, House File No. 11, a bill for an act to amend section two hundred fifty-four-a-20 (254-a-20) of the supplement to the code, 1907, providing for the maintenance of dependent children whose mothers are widows, was taken up, and considered.

The bill was read for information.

Senator Sullivan moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—43.

The nays were:

None.

Absent or not voting:

Balluff, Chase, Francis, Hagemann, Jewell, Legel, Taylor—7.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting Committee returned to the Senate, House File No. 691.

On motion of Senator Mattes, House File No. 691, a bill for an act providing that on and after July 1, 1913, all annual appropriations made to the State University, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers' College and the College for the blind shall be paid in monthly installments, was taken up and considered.

Senator Mattes moved that the rule be suspended, the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jewell, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, White, Wilson of Appanoose, Wilson of Clinton—43.

The nays were:

None.

Absent or not voting:

Arney, Chase, Francis, Hagemann, Kimball, McManus, Webber —7.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting Committee returned to the Senate, Senate Joint Resolution No. 17.

On motion of Senator Perkins, Senate Joint Resolution No. 17, relating to the practice of polygamy in certain parts of the United States under Federal jurisdiction and control and reserving to each state the right of each state to make and enforce its own laws relative to marriage and divorce, was taken up and considered, and the report of the committee adopted.

Senator Perkins 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Cowles, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Neal, Nye, Perkins, Quigley, Robinson, Smith, Spaulding, Sullivan, Webber, Wilson of Appanoose—31.

The nays were:

Gillette, Ream—2.

Absent or not voting:

Balluff, Chase, Clarkson, DeWolf, Francis, Hagemann, Heald, Hilsinger, Jewell, Jones, Savage, Schrup, Sheean, Taylor, Thomas, White, Wilson of Clinton—17.

So the Joint Resolution having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

The Sifting committee returned to the Senate, House File No. 641.

On motion of Senator Allen, House File No. 641, a bill for an act to repeal the law as it appears in chapter one hundred twenty-nine (129) of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor relating to the prevention of the procreation of criminals, rapists, idiots, feeble-minded, imbeciles, lunatics, drunkards, drug fiends, epileptics, syphilitics, moral and sexual perverts, and diseased and degenerate persons, was taken up and considered.

The bill was read for information.

Senator Allen 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 ayes were:

Allen, Ames, Arney, Balkema, Chase, Clarkson, Crist, Crow, Darrah, Dunnegan, Farr, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, McManus, Perkins, Quigley, Robinson, Smith, Sullivan, Thomas, Webber, Wilson of Clinton—27.

The nays were:

Boe, Cowles, Doran, Fellows, Garrett, Nye, Ream, Savage, Sheean, Spaulding, Wilson of Appanoose—11.

Absent or not voting:

Balluff, DeWolf, Francis, Hagemann, Hilsinger, Jewell, Mattes, McColl, Neal, Schrup, Taylor, White—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

The Sifting committee returned to the Senate, House File No. 526.

On motion of Senator Clarkson, House File No. 526, a bill for an act to amend section four thousand six hundred and twenty-three (4623) of the code of 1897 relating to books of account as evidence, was taken up and considered.

Senator Clarkson 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 ayes were:

Allen, Balkema, Balluff, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Heald, Jones, Legel, Malmberg, Neal, Nye, Perkins, Quigley, Ream, Schrup, Sheean, Smith, Spaulding, Sullivan, Webber, Wilson of Appanoose Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Ames, Arney, Boe, Cowles, DeWolf, Farr, Francis, Hagemann, Hilsinger, Jewell, Kimball, Larrabee, Mattes, McColl, McManus, Robinson, Savage, Taylor, Webber, White—20.

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. 252, a bill for an act to amend the law as it appears in sections 86, 98, 115, 211 of the Code, etc., relating to compensation of secretary of state, auditor of state, etc.

A. C. GUSTAFSON,
Chief clerk.

Also:

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. 491, a bill for an act making special provision for the enforcement of sanitary conditions by the state board of health upon complaint made by five or more citizens.

A. C. GUSTAFSON,
Chief clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has pessed the following bill in which the concurrence of the House was asked:

Senate File No. 287, a bill for an act to amend section 227 of Supplement to the Code, 1907, relating to the division of the state into judicial districts and increasing the number of judicial judges in the 15th judicial district.

A. C. GUSTAFSON,
Chief clerk.

Also:

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. 551, a bill for an act to amend the law relating to the investment of the funds of life insurance companies.

A. C. GUSTAFSON,
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. 424, a bill for an act to regulate the levy and collection of special assessments in cities and towns and cities under special charter (amendatory to chapter 7, title 5 of the Code.

A. C. GUSTAFSON,
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. 556, a bill for an act to amend an act passed by the Thirty-fifth General Assembly entitled A bill for an act to create a state highway commission, etc.

A. C. GUSTAFSON,
Chief clerk.

Also:

MR. PRESIDENT—I am directed to 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 170-d of Supplement to the Code, 1907, and enact a substitute in lieu thereof requiring all boards, commissions, etc., to turn into the state treasurer all fees collected.

A. C. GUSTAFSON,
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. 647, a bill for an act for the relief of M. O. Clemmens for personal injuries sustained by him while employed as engineer in the State sanatarium for the treatment of tuberculosis at Oakdale, Iowa.

A. C. GUSTAFSON,
Chief clerk.

THIRD READING OF BILLS.

The Sifting committee returned to the Senate, House File No. 108.

On motion of Senator Kimball, House File No. 108, a bill for an act to prohibit the sale, keeping for sale, loaning, giving away, or carrying of certain dangerous weapons to prevent the carrying of concealed weapons, except in certain specified cases when a license is issued therefor; to provide punishment for the violation of the provisions hereof, was taken up and considered.

Senator Kimball 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crist, Crow, Darrah, Dunnegan, Farr, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, McColl, Nye, Perkins, Quigley, Schrup, Smith, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—27.

The nays were:

Doran, Gillette, Ream, Taylor—4.

Absent or not voting:

Balluff, Chase, Cowles, DeWolf, Fellows, Francis, Garrett, Hagemann, Hilsinger, Jewell, Mattes, McManus, Neal, Robinson, Savage, Sheean, Spaulding, Webber, White—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

CONCURRENT RESOLUTION.

Senator Webber offered the following concurrent resolution:

Be it Resolved by the Senate, the House Concurring, That the time for adjournment of the Thirty-fifth General Assembly be fixed for Saturday, April 19, 1913, at ten o'clock A. M.

Senator Mattes offered to amend by making time of adjournment at 12 o'clock.

Carried.

The resolution as amended was adopted.

MOTION FILED.

Senator Savage filed the following motion:

I move to reconsider the vote by which House File No. 441 passed the Senate and also reconsider the vote by which it passed to its third reading.

A. C. SAVAGE.

HOUSE MESSAGES CONSIDERED.

House File No. 678, a bill for an act to amend section five thousand seventy-seven A-21 (5077 A-21) of the supplement to the code, 1907, fixing the standard of purity and viability of seeds.

Read first and second time and referred to Sifting committee.

House File No. 358, a bill for an act to repeal section four hundred ninety-five (495) of the supplement to the code, 1907, and to enact a substitute therefor, relating to the duties and compensation of county recorder.

Read first and second time and referred to Sifting committee.

House File No. 698, a bill for an act to amend the law as the same appears in chapter two (2) acts of the Thirty-fourth General Assembly authorizing the executive council to pay court costs taxed to or other expenses incurred by the state in any suit or proceeding instituted by or against any of the state departments.

Read first and second time and referred to Sifting committee.

Substitute for Senate File No. 424, a bill for an act to regulate the levy and collection of special assessments in cities and towns and cities acting under special charter and cities under commission plan of government. (Amendatory to chapter seven (7), title five (5) of the code.)

Senator Chase moved that the Senate concur in the following House amendments:

House amendments:

Amend Senate File No. 424 by striking out the words and characters "chapter seven (7) title five (5)" in lines three (3) and four (4) of section one (1) of the substitute and insert in lieu thereof "section seven hundred ninety-two (792)."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Darrah, Doran, Dunnegan, Fellows, Garrett, Gillette, Heald, Hilsinger Kimball, Legel, Mattes, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sullivan, Webber, White—29.

The nays were:

None.

Absent or not voting:

Cowles, Crow, DeWolf, Farr, Francis, Hagemann, Jewell, Jones, Larrabee, Malmberg, McColl, McManus, Neal, Ream, Sheean, Smith, Spaulding, Taylor, Thomas, Wilson of Appanoose, Wilson of Clinton—21.

So the House amendments having received a constitutional majority was declared concurred in.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the joint committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Senate File No. 355, a bill for an act to amend the law as it appears in section four thousand nine hundred seventy-five-c (4975-c) of the Supplement to the Code, 1907, relating to soliciting for the purpose of prostitution.

Also:

Substitute for Senate File No. 37, a bill for an act to repeal section five thousand two hundred fifty-six (5256) of the Supplement to the Code, 1907, relating to the appointment, duties and compensation of the clerks of the grand jury, and enacting a substitute therefor.

Also:

Substitute for Senate File No. 325, a bill for an act to repeal section two thousand nine hundred thirty (2930) Supplement to the Code, 1907, relating to the platting and transferring of real estate.

Also:

Senate File No. 104, a bill for an act to amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850) Supplement to the Code, 1907, relating to the investment of funds by savings banks.

Also:

Senate File No. 550, a bill for an act providing for the levy of special taxes upon the assessed valuation of the taxable property of the state for the erection and improvement of buildings, for appurtenances and connections for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for feeble-minded children, state sanitorium for the treatment of tuberculosis, state industrial schools, state hospitals, penitentiary, reformatory, state colony for epileptics, Iowa industrial reformatory for females and district custodial farm, and for the purchase of land and to develop and maintain industries, and repealing acts and parts of acts in conflict with this act.

Also:

Senate File No. 333, a bill for an act providing for the license of certain classes of temporary or transient merchants doing business in cities or incorporated towns, defining the same and the manner of issuing licenses, regulating and advertising and representation of such merchants and providing for penalties for the violation thereof.

Also:

Senate File No. 212, a bill fo ran act to provide for the erection of a women's and children's building on the Iowa state fair and exposition grounds, and to make an appropriation therefor.

Also:

Senate File No. 554, a bill for an act to amend the law as it appears in section two thousand nine (2009) of the Code relating to appeals from the action of the commissioners in assessing damages where private property is taken for works of internal improvement.

Also:

Senate File No. 547, a bill for an act amending the law as it appears in section twenty-nine hundred-a twenty-three (2900-a23) of the Supplement to the Code, 1907, authorizing the executive council to lease lands belonig to to the state of Iowa.

JOHN H. TAYLOR,
Chairman Senate Committee.
W. W. ANDERSON,
Chairman House Committee.

Adopted.

SENATE FILES SIGNED.

President announced that as president of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 104, 550, 333, 355, 37, 325, 212, 554 and 547.

HOUSE MESSAGE CONSIDERED.

Senate File No. 556, a bill for an act to amend an act passed by the Thirty-fifth General Assembly and approved on the third day of April, 1913, and entitled, "A bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers, and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employes with reference thereto to fix the rights of parties contracting with reference to such work, to repeal section twenty-six hundred seventy-four-f (2674-f), supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to county road building fund and to repeal all acts and parts of acts in conflict with this act.

Read first and second time.

Senator Balkema moved that the Senate concur in the following House amendments:

HOUSE AMENDMENT.

Amend Senate File No. 556 by adding at the end thereof the following:

Section 2. That the act of the Thirty-fifth General Assembly creating a state highway commission and referred to in the title to this act, be and the same is hereby further amended by striking out section 22 thereof and substituting in lieu therefor the following:

"Sec. 2. The terms of the district road superintendents now serving under the provisions of chapter ninety-eight (98) of the acts of the Thirty-third General Assembly shall cease and determine on the first day of February, 1914, at which time all road districts within each civil township created under the provisions of said chapter ninety-eight (98) shall become consolidated under one township road district, and all township road funds belonging to said districts of said township shall at once become a general township road fund. The township trustees in all such townships shall at their February meeting, 1914, employ a superintendent of the township road system. Until the first day of February,

1914, all such district road superintendents shall perform within their respective districts the duties imposed upon the superintendent of the township road system by section fourteen (14) of this act.

"That the law as it appears in section twenty-six hundred seventy-four-f (2674-f) of the Supplement to the Code, 1907, and chapter ninety-eight (98) of the acts of the Thirty-third (33d) General Assembly be and the same is hereby repealed."

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Robinson, Savage, Schrup, Sheean, Spaulding, White—31.

The nays were:

None.

Absent or not voting:

Chase, Clarkson, Cowles, DeWolf, Francis, Hageman, Jewell, Larrabee, McManus, Neal, Quigley, Ream, Smith, Sullivan, Taylor, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—19.

So the House amendments having received a constitutional majority were declared concurred in.

CALL OF THE SENATE.

We, the undersigned members of the Senate of the Thirty-fifth General Assembly, hereby join in a call of the Senate returnable at 11:30 A. M., April 19, 1913.

JOSEPH MATTES.
J. H. ALLEN.
A. L. AMES.
H. N. SPAULDING.
A. A. BALLUFF.
W. D. SHEEAN.
J. M. WILSON.
L. W. BOE.
G. E. HILSINGER.
JOHN T. CLARKSON.
LAMONTE COWLES.
S. W. DEWOLF.
J. R. DORAN.
D. C. CHASE.
T. J. B. ROBINSON.
A. M. GARRETT.

President instructed the Sergeant-at-Arms to notify all Senators to be present in the Senate Chamber, April 19th, at 11:30 A. M.

Senator Kimball offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Whereas, The number of district judges in the various judicial districts in the state varies greatly with the population in such districts, and there is reason to believe the work of such judges is more or less unequal, entailing a useless expense, and

Whereas, Such inequalities may be improved by re-arranging the judicial districts of the state, and

Whereas, More definite information to the conditions in the various districts is necessary to a proper re-districting of the state; now therefore be it

Resolved, That the committee on Retrenchment and Reform be and is hereby instructed to obtain from the various district judges of the state and from the clerks of the district courts, and any and all other officers, the number of cases tried, number of days court is held, the number of cases brought and disposed for a definite length of time in each county, and such other information as the committee may deem pertinent and in such form as it may determine; and that such various officers shall so furnish such information in the manner and time as directed by said committee and that said committee shall report the facts so obtained in complete and convenient form for the use of the next general assembly, and at the same time shall report its conclusions together with a plan of re-districting the state or changing the judicial districts if it appear any such change should be made, together with any information of value connected with a greater uniformity of judicial districts; and that such report shall be made within twenty days from the beginning of the Thirty-sixth General Assembly, and that such information be obtained by said committee without expense for traveling or per diem for any member of the committee.

Unanimous consent was given for the consideration of the resolution at this time.

Senator Kimball moved that the resolution be concurred in.

Carried.

HOUSE MESSAGE CONSIDERED.

House File No. 288, a bill for an act make an appropriation for the payment of the expenses of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance at the final hearing in the case before the interstate commerce commission involving general advancement in rates.

Passed on file.

House File No. 407, a bill for an act repealing section one hundred seventy-d (170-d) of the supplement to the Code, 1907, and

to enact a substitute in lieu thereof requiring all boards, commissions, departments, and officers of state to turn into the state treasury all fees collected.

Read first and second time.

RESOLUTION.

Senator Heald, Chairman of the Printing Committee, filed the following resolution:

Resolved, That the Senate hereby expresses its appreciation of the prompt and efficent service rendered by the State Printer and State Binder during the session now drawing to a close.

Unanimous consent was given to consider the resolution at this time.

The resolution was adopted unanimously.

Senator Thomas moved that the Senate request the House to return to the Senate, Senate File No. 530.

Carried.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the Joint Committee on Enrolled Bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Senate File No. 33, a bill for an act to establish legal weights and measures, to provide for the inspection of the same, to punish the keeping or use of false or incorrect weights and measures, to provide for statements of net weight, placing the enforcement in charge of the dairy and food commissioner and to repeal acts in conflict with this act.

Also:

House File No. 58, a bill for an act to amend section eleven hundred eighty-two (1182) of the Code, relating to the giving of bonds by public officers and requiring that bonds be given by county supervisors.

Also:

House File No. 347, a bill for an act to amend section thirty-five hundred thirty-four (2534) of the Code, relating to service by publication when an affidavit is filed that personal service cannot be made on defendant within this state.

Also:

House File No. 349, a bill for an act to amend the law as it appears in section seven (7) of chapter one hundred sixty-nine (169) of the acts

of the Thirty-third General Assembly, relating to the compensation of the state bee inspector, and to make an appropriation therefor.

Also:

House File No. 514, a bill for an act to amend House File Ninety-three (93) of the acts of the Thirty-fifth General Assembly, relating to the payment oftuition of pupils attending high school located in other districts.

Also:

House File No. 361, a bill for an act to repeal section two thousand twenty-two (2022) of the Supplement to the Code, 1907, and to enact a substitute therefor, providing for private crossing over railroads and giving the board of railroad commissioners power to make orders when the land owner and railroad company are unable to agree.

Also:

House File No. 290, a bill for an act to amend section six hundred ninety-six (696) of the Supplement to the Code, 1907, relating to the prevention of nuisances and the regulation of slaughter houses and other such places by cities and towns and making said section applicable to cities acting under special charter.

Also:

House File No. 350, a bill for an act to amend section twenty-seven hundred thirty-four-p (2734-p) Supplement to the Code, 1907, relating to qualifications of teachers.

Also:

House File No. 380, a bill for an act to fix and declare the liability of persons, firms or private corporations, entering into contracts with the state of Iowa, or with any county, city, town, city organized under special charter, school corporation or with any municipal corporation now existing or hereafter created and to provide for immunity to witnesses in proceedings to establish such liability, and to fix and declare the measure of damages for violation of this act.

Also:

House File No. 461, a bill for an act to amend the law relating to the destruction of weeds as it appears in sections three (3) and four (4) of chapter ninety-six (96) of the acts of the Thirty-third General Assembly.

JOHN H. TAYLOR,
Chairman Senate Committee.
W. W. ANDERSON,
Chairman House Committee.

Adopted.

HOUSE FILES SIGNED.

The President announced that as President of the Senate he had signed in the presence of the Senate, House Files Nos. 33, 361, 349, 514, 290, 380, 461, 350, 347 and 58.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Snator Taylor 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. 104, a bill for an act to amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850) Supplement to the Code, 1907, relating to the investment of funds by savings banks.

Also:

Senate File No. 550, a bill for an act providing for the levy of special taxes upon the assessed valuation of the taxable property of the state for the erection and improvement of buildings, for appurtenances and conections for the Iowa Soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for feeble-minded children, state sanatorium for the treatment of tuberculosis, state industrial schools, state hospitals, penitentiary, reformatory, state colony for epileptics, Iowa industrial reformatory for females and district custodial farm, and for the purchase of land and to develop and maintain industries, and repealing acts and parts of acts in conflict with this act.

Also:

Senate File No. 333, a bill for an act providing for the license of certain classes of temporary or transient merchants doing business in cities or incorporated towns, defining the same and the manner of issuing licenses, regulating and advertising and representation of such merchants and providing for penalties for the violation thereof.

Also:

Senate File No. 212, a bill for an act to provide for the erection of a women's and children's building on the Iowa state fair and exposition grounds, and to make an appropriation therefor.

Also:

Senate File No. 554, a bill for an act to amend the law as it appears in section two thousand nine (2009) of the Code relating to appeals from the action of the commissioners in assessing damages where private property is taken for works of internal improvement.

Also:

Senate File No. 547, a bill for an act amending the law as it appears in section twenty-nine hundred-a-twenty-three (2900-a23) of the Supplement to the Code, 1907, authorizing the executive council to lease lands belonging to the state of Iowa.

Also:

Senate File No. 355, a bill for an act to amend the law as it appears in section four thousand nine hundred seventy-five-c (4975-c) of the Supplement to the Code, 1907, relating to soliciting for the purpose of prostitution.

Also:

Substitute for Senate File No. 37, a bill for an act to repeal section five thousand two hundred fifty-six (5256) of the Supplement to the Code, 1907, relating to the appointment, duties and compensation of the clerks of the grand jury, and enacting a substitute therefor.

Also:

Substitute for Senate File No. 325, a bill for an act to repeal section two thousand nine hundred thirty (2930) Supplement to the Code, 1907, relating to the platting and transferring of real estate.

JOHN H. TAYLOR,
Chairman.

Adopted.

Senator Perkins was called to the chair at 4:50 P. M.

Journal of April 17th was taken up, corrected, and approved.

President resumed the chair at 5:05 P. M.

THIRD READING OF BILLS.

On motion of Senator Mattes, House File No. 407, a bill for an act repealing section one hundred and seventy-d (170-d) of the supplement to the Code, 1907, and to enact a substitute in lieu thereof requiring all boards, commissions, departments, and officers of state to turn into the state treasury all fees collected, was taken up and considered.

The bill was read for information.

Senator Mattes offered the following amendment and moved its adoption:

"I move to amend by adding to section one (1) after the word 'statement,' the following, 'the balance actually collected in cash

remaining in the hand of any officer, board or department, shall not exceed the sum of five thousand dollars ($5,000.00), and no money collected shall be held more than thirty days."

Adopted.

Senator Mattes offered the following:

Amend section 1 by inserting after the comma (,) the word "thereof" in the ninth line the following: "ninety per cent of."

Adopted.

Senator Cowles offered the following amendment and moved its adoption.

I move to amend by inserting after the word "the" and before the word "day" in the 8th line of Section 1, the word "third."

Adopted.

Senator Webber was called to the chair at 5:20.

Senator Mattes offered the following amendment, and moved its adoption.

Amend by striking out the word "Daily" in the publication clause.

Adopted.

Senator Mattes moved that the rule by which no bill shall be read a second and third time on the same day be suspended.

Carried.

Senator Mattes 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 ayes were:

Allen, Arney, Balkema, Boe, Chase, Crow, Darrah, Doran, Farr, Fellows, Garrett, Gillette, Heald, Hilsinger, Kimball, Larrabee, Legel, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Schrup, Smith, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—31.

The nayes were:

None.

Absent or not voting:

Ames, Balluff, Clarkson, Cowles, Crist, DeWolf, Dunnegan, Francis, Hagemann, Jewell, Jones, Malmberg, McManus, Neal, Ream, Savage, Sheean, Spaulding, Taylor—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns:

Senate File No. 530, a bill for an act relating to the selection of school books.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

Senate File No. 530, a bill for an act to amend the law relating to the selection of school text books, as it appears in sections twenty-eight hundred thirty-one (2831), twenty-eight hundred thirty-two (2832), Supplement to the Code, 1907, and tweny-eight hundred thirty-four (2834), of the Code.

THIRD READING OF BILLS.

On motion of Senator Thomas, Senate File No. 530, a bill for an act to amend the law relating to the selection of school text books, as it appears in sections twenty-eight hundred thirty-one (2831), twenty-eight hundred thirty-two (2832), supplement to the code, 1907, and twenty-eight hundred thirty-four (2834), of the code, was taken up, and considered.

Senator Thomas asked unanimous consent to reconsider the vote by which Senate File No. 530 passed the Senate.

Senator Schrup objected to reconsideration of the vote at this time.

Senator Thomas moved that rule be suspended.

Carried.

Senator Thomas moved that the vote by which Senate File No. 530 passed the Senate and passed to its third reading be reconsidered.

Carried.

Senator Thomas offered the following amendment and moved its adoption.

Strike out the words "or to discontinue a system of county uniformity when adopted" as the same appears in line 10 of section 1, following the word "county."

Adopted.

The bill was read for information.

Senator Thomas moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Chase, Clarkson, Cowles, Crow, Darrah, Doran, Dunnegan, Farr, Garrett, Gillette, Heald, Jones, Larrabee, Legel, Mattes, Nye, Quigley, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Thomas, Webber, Wilson of Clinton—31.

The nays were:

Malmberg—1.

Absent or not voting:

Balluff, Crist, DeWolf, Fellows, Francis, Hagemann, Hilsinger, Jewell, Kimball, McColl, McManus, Neal, Perkins, Ream, Sheean, Taylor, White, Wilson of Appanoose—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 146, a bill for an act to amend sections 5, 10, 12, 15 and 16 of chapter 128, acts of the Thirty-fourth General Assembly relative to duties and compensation of state fire marshal.

A. C. GUSTAFSON,
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. 116, a bill for an act making an appropriation for the construction and repair for Iowa soldiers' home, Iowa soldiers' orphans' home, etc.

A. C. GUSTAFSON,
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. 16, approving estimates of cost, plans and specifications for buildings and improvements at soldiers' orphans' home, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended by substitute and passed the following bill in which the concurrence of the House was asked:

Senate File No. 555, a bill for an act amending chapter 201 of the laws of the Thirty-fourth General Assembly, relating to plans and specifications of costs of buildings under control of the board of education.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 553, a bill for an act making an appropriation for carrying out the provision of Senate File No. 491.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the folowing bill in which the concurrence of the House was asked:

Senate File No. 383, a bill for an act to amend the law as it appears in chapter 11-c of title XIII of the Supplement to the Code, 1907, relating to state sanatorium for the treatment of tuberculosis.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

The Sifting committee returned to the Senate, House File No. 412.

On motion of Senator Allen, House File No. 412, a bill for an act to amend sections nine (9) and thirteen (13) of chapter one hundred eighteen (118) of the acts of the Thirty-third General Assembly in relation to actions involving drainage districts, was taken up and considered.

The bill was read for information.

Senator Allen moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Crow, Darrah, Doran, Fellows, Gillette, Heald, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Thomas, White, Wilson of Appanoose, Wilson of Clinton —28.

The nays were:

None.

Absent or not voting:

Balluff, Chase, Cowles, Crist, DeWolf, Dunnegan, Farr, Francis, Garrett, Hagemann, Hilsinger, Jewell, Kimball, McManus, Neal, Ream, Sheean, Smith, Spaulding, Sullivan, Taylor, Webber—22.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

HOUSE MESSAGE CONSIDERED.

Senate File No. 116, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, School for Deaf, Institution for Feeble-Minded Children, Sanatorium for the Treatment of Tuberculosis, Industrial Schools, State Hospitals, Penitentiary, Reformatory, for the purchase of land, and for a state institution for epileptics.

Senator Mattes moved that the Senate concur in the following House amendments:

HOUSE AMENDMENT.

By striking out in section 12, all of line four (4) by striking out in lines two and three of section 1 the words and figures "six hundred thirty thousand five hundred fifty-five dollars ($630,555.00)" and inserting in lieu thereof the words and figures "six hundred thousand five hundred fifty-five dollars ($600,555.00)".

On the question, "Shall the Senate concur in House amendment,"

The ayes were:

Allen, Ames, Balkema, Clarkson, Crow, Darrah, Doran, Farr, Fellows, Garrett, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Savage, Smith, Spaulding, Thomas, White, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Arney, Balluff, Boe, Chase, Cowles, Crist, DeWolf, Dunnegan, Francis, Hagemann, Hilsinger, Jewell, McManus, Neal, Ream, Schrup, Sheean, Sullivan, Taylor, Webber—20.

So the House amendment having received a constitutional majority was declared concurred in.

THIRD READING OF BILLS.

The Sifting committee returned to the Senate, House File No. 622.

On motion of Senator Chase, House File No. 622, a bill for an act to regulate the levy and collection of special assessments in cities and towns and cities acting under special charter and cities under commission plan of government (amendatory to chapter seven (7) title five (5) of the code), was taken up and considered.

Senator Chase moved the bill be re-referred to the Sifting committee.

Carried.

Senator Mattes moved that the Senate do now adjourn until 8 o'clock P. M.

Carried.

Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment at 8 P. M.

President Pro Tem Savage 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 House was asked:

Senate File No. 82, a bill for an act to provide additional chairs in the college of homeopathic medicine of the state university of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 repeal section 212 of Supplement to the Code, 1907, relating to the appointment of an assistant attorney general, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 446, a bill for an act to amend section 4 of chapter 63, acts of the Thirty-fourth General Assembly relating to assessment of stocks of national, state and savings banks.

A. C. GUSTAFSON,
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. 16, joint resolution authorizing and directing the secretary of state to publish in pamphlet form, Senate File No. 3, known as the workmen's compensation act.

A. C. GUSTAFSON,
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 the House was asked:

Senate Joint Resolution No. 14, resolution approving estimates of cost, plans and specifications for buildings at the state university, the state college of agriculture and mechanic arts and state teachers college.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

Senate File No. 555, a bill for an act amending chapter two hundred one (201) of the laws of the Thirty-fourth General Assembly; relating to plans and specifications and estimates of cost of building under the control of the board of education and the employment of an architect and assistants and limiting expenditure therefor.

Read first and second time and referred to committee on Appropriations.

Senate Joint Resolution No. 14, approving estimates of costs, plans and specifications for the erection of new buildings at the state university, at the state college of agriculture and mechanic arts, and at the state teachers' college.

HOUSE AMENDMENT.

Amend section two by striking from lines thre, four, five and six the following: "ninety thousand dollars ($90,000) of this to be taken out of the funds available under the millage tax, and one hundred sixty thousand dollars ($160,000) out of the special appropriation granted by the Thirty-fifth General Assembly."

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 joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 15, fixing the number and compensation of employes in the department of state.

A. C. GUSTAFSON,
Chief Clerk.

INTRODUCTION OF BILLS.

By committee on Appropriations, Senate File No. 562:

A Bill for An Act to Make Appropriation 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, for a term of two years, ending June 30, 1915, 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, 1915, the following sums, or so much thereof as shall be necessary, to-wit: provided that on the first day of July, suceeding teh 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 attorney general, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of thirty-one thousand dollars ($31,000.00).

2. For the office of auditor of state, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of thirty-five thousand nine hundred sixty dollars ($35,960.00).

3. For the clerk of the supreme court, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of six thousand one hundred eighty dollars ($6,180.00).

4. For the office of governor, for the period ending June 30, 1915, for a contingent and expense fund, the sum of three thousand dollars ($3,000.00); for the expense of employing additional counsel when necessary, under the provisions of sections sixty-three (63) and sixty-four (64) of the code the sum of twenty-five hundred dollars ($2,500.00); for the investigation of pardon and parole and for the return of paroled prisoners the sum of two hundred dollars ($200.00); for house rent for the governor, the sum of twelve hundred dollars ($1200.00); for employes in the office of the governor, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of eight thousand eight hundred dollars ($8,800.00).

5. For the office of state librarian, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of ten thousand one hundred sixty dollars ($10,160.00).

6. For the railroad commission for clerical help, for the period ending June 30, 1915, as per joint resolution No. 15 the sum of twelve thousand eight hundred dollars (12,800.00); for traveling expense the sum of three thousand dollars ($3,000.00).

7. For the office of secretary of state, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of forty-one thousand dollars ($41,000.00).

8. For the office of superintendent of public instruction, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of six thousand six hundred sixty dollars ($6,660.00).

9. For the incidental expenses of the chief justice of the supreme court, for the period ending June 30, 1915, the sum of two thousand dollars ($2,000.00); also for bailiff, messenger and stenographic service, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of fourteen thousand four hundred dollars ($14,400.00).

10. For the office of treasurer of state, for the period ending June 30, 1915, as per joint resolution No. 15, for salaries and incidental expenses, the sum of eleven thousand one hundred sixty dollars ($11,160.00).

11. For the historical department, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of twenty-three thousand two hundred eighty dollars (23,280.00).

12. For the office of the secretary of the executive council for the period ending June 30, 1915, as per joint resolution No. 15, the sum of twenty-one thousand one hundred sixty dollars ($21,160.00).

13. For the geological survey, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of eighteen hundred dollars ($1800.00).

14. For the office of state mine inspector, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of two thousand dollars ($2,000.00).

15. To the state board of health for extra clerical assistance, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of nine thousand six hundred dollars ($9,600.00).

16. To the governor for extra service as member of the executive council, for the period ending June 30, 1915, the sum of twenty-four hundred dollars ($2400.00), and warrants shall be issued monthly therefor at the end of each month.

17. For the office of supreme court reporter, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of fourteen hundred forty dollars ($1440.00).

18. For expenses of the state food and dairy commissioner, for clerical assistance, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of seven thousand one hundred sixty dollars ($7,160.00).

19. For employes under the custodian, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of sixty-six thousand six hundred eighty dollars ($66,680.00), one thousand dollars ($1,000.00) of which is made immediately available to pay for laundry, elevator tender and janitor service prior to July 1, 1913, to cover deficiency.

20. To the office of the bureau of labor statistics, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of two thousand dollars ($2,000.00).

21. For providential contingencies to be expended in accordance with the provisions of section one hundred seventy (170) of the code, and for expenses occasioned by accidents and emergencies for which no appropriation is made the sum of fifty thousand dollars ($50,000.00), the said amount to be under the control of the executive council, and all payments under this section shall be reported in detail by the auditor of state in his next report.

22. There is hereby appropriated the sum of one hundred twenty thousand dollars ($120,000.00), to be expended under the direction of the executive council, under the provisions of section one hundred sixty-five (165) of the code, for furniture, stores and supplies, and the further sum of twenty-five thousand dollars ($25,000.00), or so much as shall be necessary, for the purchase of fuel.

23. There is hereby appropriated the sum of twenty-five thousand dollars ($25,000.00) to be expended under the direction of the executive council, under the provisions of section one hundred sixty-four (164) of the code.

24. There is hereby appropriated for the purpose of paying express, freight and drayage, for the period ending June 30, 1915, the sum of twenty thousand dollars ($20,000.00).

25. There is hereby appropriated for the purpose of advertising laws and publishing census returns, to be expended under the provisions of section thirty-six (36) of the code, the sum of thirteen hundred dollars ($1300.00).

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 warrant shall issue therefor, and the amounts thereof, and to whom paid shall be reported to the next general assembly.

Sec. 5. To William L. Harding, lieutenant governor, as president of the senate, the sum of two thousand dollars ($2,000.00).

Sec. 6. To Edward H. Cunningham, as speaker of the house of representatives, the sum of one thousand dollars ($1,000.00), which shall be in addition to his regular salary as member of the house.

Sec. 7. For chaplains of the senate and the house of the Thirty-fifth General Assembly, the sum of eight hundred dollars ($800.00), 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 statements of the president of the senate and the speaker of the house.

Sec. 8. To the secretary of state for the purchase of one hundred fifty-nine (159) sets of the annotations to the sessions laws of the Thirty-fifth General Assembly, the sum of two hundred dollars ($200.00).

Sec. 9. For the payment of 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 eight hundred dollars ($800.00), to be paid on a statement approved by the governor.

Sec. 10. To the secretary of state for indexing journals for the house and senate of the Thirty-fifth General Assembly, in addition to the amount provided by law, the sum of two hundred fifty dollars ($250.00).

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 the board of control for additional draftsmen in that department the sum of fifteen hundred dollars ($1500.00).

Sec. 13. For rent of storage rooms for the adjutant general for the period ending July 1, 1915, the sum of two thousand dollars ($2,000.00).

Sec. 14. For the purpose of paying the interest of the state to the permanent school funds, the sum of thirteen hundred twelve and 46-100 dollars ($1312.46), 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. 15. To the employes of the house and senate for services required after adjournment, the sum of two hundred dollars ($200.00).

Sec. 16. For the custodian the sum of one thousand dollars ($1,000.00), to pay for shoveling snow and other necessary work, warrants for same to be drawn upon the certificate of the custodian.

Sec. 17. To the executive council to meet necessary expenses, for which no appropriation is made, the sum of three thousand dollars ($3,000.00), to be disbursed on claims approved by the executive council, and the auditor of state shall draw warrants therefor.

Sec. 18. To the board of control of state institutions for the state reformatory at Anamosa for the purchase of industrial equipment, the sum of two thousand dollars ($2,000.00).

Sec. 19. To the executive council for the continuation of the work of arrangement, classification, labeling, filing, calendaring and indexing the public archives under section twenty-eight hundred eighty-one-k (2881-k) of the supplement to the code, 1907, the sum of four thousand dollars ($4,000.00).

Sec. 20. To the Des Moines Rubber Stamp Works for badges for officials of the senate and house of representatives of the Thirty-fifth General Assembly the sum of fifty-six and 35-100 dollars ($56.35).

Sec. 21. For the support fund of the wardens of the penitentiaries at Anamosa and Fort Madison the sum of six hundred dollars ($600) each, payable quarterly, during the period ending July 1, 1915.

Sec. 22. For the wardens' house fund at the penitentiaries at Anamosa and Fort Madison the sum of two hundred dollars ($200.00) each for the period ending July 1, 1915.

Sec. 23. For extra clerical assistance in the office of the secretary of state the sum of eighteen hundred dollars ($1800.00).

Sec. 24. To the Underwood Typewriter Co. for rent of typewriter for special stenographer in law library during the session of the Thirty-fifth General Assembly, the sum of ten and 50-100 dollars ($10.50).

Sec. 25. To Capital City Commercial College the sum of two dollars ($2.00); to Alpha Floral Co., the sum of twenty-five dollars ($25.00); to W. A. Groves, Sergeant-at-arms, for a bill paid to Lozier, the florist, the sum of three dollars ($3.00); to McBride and Patrick, the sum of seventeen dollars ($17.00); to L. W. Boe, the sum of six and 30-100 dollars ($6.30); to J. A. White, the sum of six and 30-100 dollars ($6.30); to S. W. Neal, the sum of six and 30-100 dollars ($6.30); to J. C. Legel, the sum of six and 20-100 dollars ($6.20); to Frederic Larrabee, the sum of six and 30-100 dollars ($6.30); to W. I. Atkinson, the sum of six and 20-100 dollars ($6.20); to Frank A. Thayer, the sum of six and 20-100 dollars ($6.20); to John E. Bruce, the sum of six and 20-100 dollars ($6.20) to Henry W. Grout the sum of six and 20-100 dollars ($6.20); to Charles W. Miller, the sum of six and 20-100 dollars ($6.20); for items expended respectively by said parties for expenses incurred by the death of Senator Charles Gates, under resolution of the thirty-fourth general assembly, and making a total of one hundred nine and 40-100 dollars ($109.40).

Sec. 26. To Representative Arthur Pickford, the sum of four and 84-100 dollars ($4.84); to Representative Ira D. McVicker, the sum of four and 84-100 dollars ($4.84); for amounts expended respectively by them in attending the funeral of late Hon. Frank A. Thayer.

Sec. 27. To J. H. Doty, chief doorkeeper of the Senate, the sum of fifty-eight and 20-100 dollars ($58.20), for money advanced by him to pay the railroad fare and hotel expenses incurred in attending the funeral of the late Daniel L. Castle by the following parties: J. H. Doty, E. L. Stillson, D. A. Hisler, J. B. Melvin, M. M. Shirk and N. L. Callison.

Sec. 28. To the pioneer lawmakers' association, to assist in defraying the expenses of publishing the proceedings of the said association, and to be paid to the secretary thereof on the presentation of proper vouchers therefor, a sum not to exceed one hundred dollars ($100.00).

Sec. 29. To the state board of education for telephone massages, telegrams, express charges, stenographers and other necessary item to be expended by said board during the biennial period ending July 1, 1915, the sum of five hundred dollars ($500.00), which sum is to be paid in accordance with the provisions of chapter one hundred seventy (170) of the acts of the thirty-third general assembly.

Sec. 30. To the executive council for the purpose of collecting and tabulating the census for the year nineteen hundred fifteen (1915), and for proofreading and other necessary expenditures to carry into effect the provisions of chapter eight (8) of title II of the Code Supplement, 1907, the sum of twenty-five thousand dollars ($25,000.00).

Sec. 31. To the executive council to pay rental, janitor services and other expenses for the rate department of the railroad com-

mission in Teachout Building during the period of the thirty-fifth general assembly, the sum of three hundred dollars ($300.00).

Sec. 32. To Frank C. Pellett, bee inspector for expenses filed with executive council, the sum of eighteen and 90-100 dollars ($18.90).

Sec. 33. To the state veterinary department for a special fund to take care of outbreak of disease in horses, the sum of three thousand dollars ($3,000.00).

Sec. 34. To the executive council to pay the assessment of the state of Iowa for expenses of the Governors' Conference for 1912 the sum of one hundred dollars ($100.0), and for the ensuing biennial period the further sum of three hundred dollars ($300.00) for the same purpose.

Sec. 35. To the custodian for additional help from January 13th to 30th inclusive, as ordered by committee on extra help, the sum of two hundred sixty-nine and 64-100 dollars ($269.64).

Sec. 36. To J. R. White, temporary mail carrier for eight days, January 11th to 20th inclusive, the sum of twenty-four dollars ($24.00).

Sec. 37. To J. N. Hurty for expenses to and from Indianapolis, by order of the state board of health, the sum of thirty-eight and 10-100 dollars ($38.10).

Sec. 38. To the estate of Herman Kreft as refund for money paid for treatment at the state sanatorium at Oakdale, the sum of fifteen and 49-100 dollars ($15.49).

Sec. 39. To reimburse Bertha G. Myers for unexpired time on license issued to Elmer Myers, deceased, the sum of forty-four and 44-100 dollars ($44.44).

Sec. 40. To F. W. Habicht, deputy game warden, for fine and costs for killing deer under orders of the game warden of Pottawattamie county, Iowa, the sum of one hundred forty-two and 5-100 dollars (142.05).

Seec. 41. To A. C. Gustafson, chief clerk of the House of Representatives of the Thirty-fifth General Assembly, for cash paid for postage and telegrams connected with official business, the sum of eleven and 35-100 dollars ($11.35).

Sec. 42. To Elsie Leo, for stenographic services in law library, January 14th to 20th inclusive, the sum of fourteen and 58-100 dollars ($14.58).

Sec. 43. To Charles E. Scholz, for money advanced for railroad fare and traveling expenses for Mr. Edwin Cooley from Chicago to Des Moines and return, as per concurrent resolution of ....., 1913, the sum of twenty-four and 30-100 dollars ($24.30).

Sec. 44. To Chapman Bros. for chairs and gavels for the President of the Senate and the Speaker of the House, the sum of one hundred twenty dollars ($120.00).

Sec. 45. There is hereby appropriated the sum of five thousand dollars ($5,000.00) to be expended under the direction of the executive council as recommended by joint committee under date of April 5, 1913.

Sec. 46. To O. H. Jacobson, attorney's fees, witness fees, mileage, express and other expenses incurred and paid by him in election contest of Foley vs. Jacobson from the 34th representative district, the sum of one hundred eighteen and 15-000 dollars ($118.15).

Sec. 47. To David Meredith, attorney's fees, witness fees, mileage, express and other expenses incurred and paid by him in election contest of Salmon vs. Meredith from the 38th representative district, the sum of one hundred forty and 30-100 dollars ($140.30).

Sec. 48. To Underwood Typewriter Co., for rent of typewriters for use in the Senate, from January 13th to April 12th, 1913, inclusive, the sum of twenty-one and 75-100 dollars ($21.75).

Sec. 49. To Clement F. Kimball, for salary as Senator from the 19th senatorial district for the first half of the session of the Thirty-fifth General Assembly, the sum of five hundred dollars ($500.00).

Sec. 50. To George Cosson, attorney general, the sum of three hundred dollars ($300.00) to cover expense of investigations made by his department.

Sec. 51. To the committee on Retrenchment and Reform, for clerk hire and assistance that may be necessary for the period ending January 1, 1915, the sum of six hundred dollars ($600.00), or so much thereof as may be necessary.

Sec. 52. To Henry Rood in payment for services on Vicksburg park commission, as secretary, the sum of four hundred dollars ($400.00).

Sec. 53. To Seick Tent & Awning Co., for large canvas used in House of Representatives, the sum of seven and 75-100 dollars ($7.75).

Sec. 54. To the committee on Retrenchment and Reform the sum of ten thousand dollars ($10,000.00), annually for extra clerical assistance in any of the departments of state that are authorized by the said committee on Retrenchment and Reform to have additional assistance, as provided in Joint Resolution No. 15.

Sec. 55. 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.

THIRD READING OF BILLS.

On motion of Senator Mattes, Senate File No. 562, a bill for an act to make appropriation for the payment of state and judicial officers, state and other expenses, was taken up and considered.

Senator Mattes moved that the rule by which no bill may be read the second and third times the same day be suspended.

Carried.

The bill was read for information.

Senator Cowles offered the following amendment and moved its adoption:

I move to amend section 54 by striking out the words "ten thousand dollars" and inserting in lieu thereof "twenty thousand dollars."

On the adoption of the amendment a roll call was demanded.

Those favoring the amendment were:

Ames, Balluff, Cowles, DeWolf, Hilsinger, McManus, Perkins, Sheean, Thomas—9.

The nays were:

Allen, Arney, Balkema, Boe, Chase, Clarkson, Crist, Crow, Darrah, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Heald, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Nye, Quigley, Robinson, Savage, Schrup, Smith, Spaulding, Sullivan, Webber, White, Wilson of Appanoose, Wilson of Clinton—35.

Absent or not voting:

Gillette, Hagemann, Jewell, Neal, Ream, Taylor—6.

So the amendment was lost.

Senator Mattes moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunegan, Farr, Fellows, Francis, Garrett, Heald, Hilsinger, Jones, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivon, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—43.

The naye were:

None.

Absent or not voting:

Gillette, Hagemann, Jewell, Kimball, Neal, Ream, Taylor—7.

So the bill having receive a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Allen, Senate Joint Resolution No. 14, a bill for an act approving estimates of cost, plans and specifications for the erection of new buildings at the State University, at the State College of Agriculture and Mechanic Arts, and at the State Teachers' College, was taken up and considered.

Senator Allen moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT.

Amend section two by striking from lines three, four, five and six the following: "ninety thousand dollars ($90,000) of this to be taken out of the funds available under the millage tax, and one hundred sixty thousand dollars ($160,000) out of the special appropriation granted by the Thirty-fifth General Assembly."

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Chase, Clarkson, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Fellows, Francis, Heald, Hilsinger, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, McManus, Nye, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—40.

The naye were:

None.

Absent or not voting:

Cowles, Farr, Garrett, Gillette, Hagemann, Jewell, Neal, Perkins, Ream, Taylor—10.

So the House amendment having received a constitutional majority was declared concurred in.

Senator Mattes moved that 300 extra copies of Journal of April 18th be printed.

Carried.

THIRD READING OF BILLS.

On motion of Senator Webber, House File No. 49, a bill for an act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the state dairy and food commissioner in relation thereto, was taken up and considered.

The motion filed by Senator Webber to reconsider the vote by which the bill failed to pass the Senate prevailed.

Senator Perkins moved that the vote by which the bill passed to its third reading be reconsidered.

Carried.

The bill was read for information.

Senator Webber moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Boe, Clarkson, Crist, Crow, Darrah, DeWolf, Dunnegan, Farr, Fellows, Heald, Hilsinger, Jones, Larrabee, Malmberg, Mattes, McColl, McManus, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Clinton—33.

The nays were:

Chase, Doran, Garrett, Wilson of Appanoose—4.

Absent or not voting:

Arney, Balluff, Cowles, Francis, Gillette, Hagemann, Jewell, Kimball, Legel, Neal, Nye, Ream, Taylor—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Schrup, Senate File No. 407, a bill for an act to repeal chapter one hundred sixty-eight (168) of the acts of the Thirty-third General Assembly, and to enact in lieu thereof the following relating to hotels, public lodging houses and restaurants, defining the same and prescribing rules for their operation and maintenance, so as to insure the safety and health of employes and patrons of same, providing for inspection thereof,

establishing a hotel commission and providing for a hotel commissioner, and for the licensing of hotel and restaurant keepers, and fixing penalties for violation of such rules and regulations, was taken up and considered.

Senator Schrup moved that the rule by which a motion to reconsider a vote must be filed on the same or next legislative day on which the bill is passed, be suspended.

Carried.

Senator Schrup moved that the vote by which Senate File No. 407 failed to pass the Senate be reconsidered.

The motion to reconsider prevailed.

Senator Perkins moved that the vote by which bill passed to its third reading be reconsidered.

Carried.

Senator Sullivan moved the previous question.

Carried.

Senator Allen moved that the vote by which the previous question was ordered be reconsidered.

Carried.

Senator Allen offered the following amendment and moved its adoption:

I move to amend Senate File No. 407 by adding thereto the following:

"Sec. 25. That the duties of "hotel inspector" provided for in Senate File 418 enacted into law at the Thirty-fifth General Assembly, shall be performed by the food and dairy commissioner as provided in this act, and the provisions in that act relating to section thirteen (13) of chapter 168 of the laws of the Thirty-third General Assembly shall apply to section five (5) of that act.

Adopted.

Senator Thomas moved the previous question.

Declared not in order.

Senator Kimball 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 ayes were:

Allen, Arney, Balkema, Boe, Crist, Darrah, DeWolf, Dunnegan, Farr, Fellows, Heald, Kimball, Larrabee, Legel, McColl, McManus, Nye, Perkins, Quigley, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Clinton—29.

The naye were:

Ames, Balluff, Chase, Crow, Doran, Francis, Garrett, Hilsinger, Jones, Malmberg, Mattes, Robinson, Wilson of Appanoose—13.

Absent or not voting:

Clarkson,, Cowles, Gillette, Hageman, Jewell, Neal, Ream, Taylor—8.

Senator Kimball offered the following amendment and moved its adoption.

I move to amend the title by striking therefrom the words "establishing a hotel commission and providing for a hotel commissioner" and by adding thereto the following and amending Senate File No. 418 as enacted by the Thirty-fifth General Assembly, relating to regulation and inspection of railway closets and making the provision thereof applicable to this act.

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Joint Resolution relative to granting permission to the city of Waterloo to officially represent the state of Iowa at the Panama Pacific Exposition at San Francisco in 1915.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 560, a bill for an act relating to injuries sustained by employes which occur prior to the taking effect of an act enacted by the Thirty-fifth General Assembly relating to employer's liability for injuries sustained by employes while in line of duty.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 sked:

Senate File No. 488, a bill for an act to amend the law as it appears in section 1093, Supplement to the Code, 1907, relating to election boards.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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 sked:

Senate File No. 522, a bill for an act to establish an insurance department.

A. C. GUSTAFSON,
Chief Clerk.

Senator Savage 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, APRIL 19, 1913.

Senate met in regular session at 9 o'clock A. M., President Harding presiding.

Prayer was offered by Rev. J. E. Kirbye, pastor Plymouth Church, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing any change in the present school book law.

Refered to committee on Schools.

Senator Balkema presented a remonstrance of citizens of Sioux county opposing a permanent tax commission.

Referred to committee on Ways and Means.

The President announced that the Senate would be at ease, subject to call of the chair.

Senate was at ease.

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. 697, a bill for an act to amend section 2121 of the supplement to the code, 1907, relative to the salaries of the members of the board of railroad commissioners.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 513, a bill for an act to amend the law as it appears in section 2578-b of the supplement to the code, 1907, relating to trial upon appeal to the district court, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended by substitute and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 427, a bill for an act to amend section 751 of the code relating to street and public grounds.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 451, a bill for an act granting additional powers to the executive council.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 558, a bill for an act to provide for the transfer of judges from one judicial district to another in certain cities.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 452, a bill for an act to amend the law relating to the compensation of members to the General Assembly as the same appears in section 12 of the Code as amended by chapter 1 of the acts of the Thirty-fourth General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 360, a bill for an act to provide for the improvement of the water and harbor fronts of incorporated or chartered cities and towns situated on navigable waterways within or bordering on the state of Iowa.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns as requested:

Senate File No. 406, a bill for an act to repeal section 3138 of Supplement to the Code, 1907, relating to the care of property belonging to guests of hotels, etc.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns as requested:

House File No. 441, a bill for an act to regulate the sale of calcium carbide and prescribe the manner in which the same shall be packed and labeled.

A. C. GUSTAFSON,
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:

Senate concurrent resolution relative to repairing the matter of redistributing the judicial districts to the committee on Retrenchment and Reform.

A. C. GUSTAFSON,
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 Senate is asked:

House concurrent resolution relative to the enrolling clerk of the House remaining for two days at the close of the session to complete her duties.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE FILES SIGNED.

President announced that as President of the Senate he had signed in the presence of the Senate, House Files Nos. 362-481 and 608.

HOUSE MESSAGE CONSIDERED.

CONCURRENT RESOLUTION.

Resolved by the House, the Senate concurring that the enrolling clerk of the House be required to remain at the capitol and perform the duties of her office for a period of two days at the close of the session of the Thirty-fifth General Assembly for the purpose of reading, correcting arranging and certifying the records of the session and that she receive the same compensation per day for such extra time as she now receives.

Senator Gillette moved that the Senate concur in the resolution.

Carried.

House File No. 697, a bill for an act to amend section twenty-one hundred twenty-one (2121) of the supplement to the code, 1907, relative to the salaries of the members of the board of railroad commissioners.

Read first and second time and referred to sifting committee.

Substitute for Senate File No. 427, a bill for an act to amend section seven hundred fifty-one (751) of the code relating to streets and public grounds.

Senator Heald moved that the Senate concur in the following House amendments:

HOUSE SUBSTITUTE AMENDMENT.

A Bill for An Act to Amend Section Seven Hundred Fifty-one (751) of the Code Relating to Streets and Public Grounds.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section seven hundred fifty-one (751) of the code be and the same is hereby amended by adding thereto the following:

That in all cities having a population of more than thirty thousand (30,000), such cities shall have the power to extend, improve and repair streets, highways, avenues, alleys, public grounds, wharfs, landings and market places within their limts. The expense of such extension, improvement and repairs may be paid from the general fund or from the highway or poll taxes of such cities or towns, or partly from each of such funds or by asseessing all or any portion of the cost thereof on abutting property according to the benefits derived from such extension, repairs or improvements as provided in chapter seven (7) of title five (5) of the code, and amendments thereto.

Sec. 2. 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 the Des Moines Capital, newspapers published in Des Moines, Iowa.

On the question, "Shall the Senate concur in House amendments?"

The ayes were:

Balkema, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Dunnegan, Farr, Fellows, Francis, Garrett, Gillette, Heald, Hilsinger, Larrabee, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Ream, Schrup, Spaulding, Sullivan, Wilson of Appanoose, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Allen, Ames, Arney, Balluff, Chase, Hagemann, Jewell, Jones, Kimball, Legel, McManus, Quigley, Robinson, Savage, Sheean, Smith, Taylor, Thomas, Webber, White—20.

So the House amendment, having received a constitutional majority, was declared concurred in.

Senate File No. 406, a bill for an act to repeal section three thousand one hundred and thirty-eight of the supplement to the code, 1907, and chapter one hundred ninety-five (195) of the laws of the Thirty-third General Assembly and to enact as a substitute therefor, the following relating to the care of property belonging to guests of hotels and inns and liability for the loss thereof, and to the lien of hotel and innkepers thereon, and for providing a method for enforcing such liens.

Passed on file.

House File No. 441, a bill for an act to regulate the sale of calcium carbide or so-called carbide and prescribe the manner in which the same shall be packed and labeled.

Passed on file.

THIRD READING OF BILLS.

On motion of Senator Savage, House File No. 441, a bill for an act to regulate the sale of calcium carbide or so-called carbide and prescribe the manner in which the same shall be packed and labeled, was taken up and considered.

Senator Savage moved that the vote by which the bill passed the Senate be reconsidered.

Motion to reconsider lost.

President announced that the Senate would be at ease, subject to call of the chair.

Senate was at ease.

President Pro Tempore Savage 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 House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 700, a bill for an act for the levy of a tax for the Iowa State College of Agriculture and Mechanic Arts.

A. C. GUSTAFSON,
Chief Clerk.

Senator Clarkson from the special committee submitted the following report:

REPORT OF COMMITTEE APPOINTED FOR THE PURPOSE OF SECURING CHAIRS FOR THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE.

Your special committee, appointed for the purpose of securing chairs and gavels for the President of the Senate and the Speaker of the House, respectfully 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.

Respectfully submitted,

JOHN B. SULLIVAN,
JOHN T. CLARKSON,
RALPH SHERMAN,
WALTER P. JENSEN,
H. H. BOETTGER,
Committee.

Senator Clarkson moved the adoption of the report.

Adopted.

Senator Clarkson moved that a committee of two be appointed to escort the President to the chair.

Carried.

President Pro Tem Savage appointed as such committee Senators Clarkson and Sullivan.

Senator Clarkson, in presenting the gavel and chair to President Harding, spoke as follows:

MR. PRESIDENT—A very pleasant duty has been commissioned to me, the privilege of conveying to you on the part of the members of this Senate their appreciation of the many duties performed by you during the session of this General Assembly, and I take the opportunity at this time, in a general way and briefly, to say on the part of the Senate, that in the performance of the duties as members of the General Assembly, although we at times seemed to have presumed upon the ground of personal feeling, you have the assurance that it was far from our

thought to infringe in any way upon anything that might break in upon senatorial dignity; rather, it was a firm and decided conviction as to the merits of the proposition we had in hand.

Representative government naturally bring on these conflicts where men come from different walks in life, surrounded as they are with different environments, looking at propositions from different viewpoints, our ideas conflict where we aim to accomplish the same purpose, namely the elevation and betterment of mankind. Naturally, we would expect conflict and out of that conflict arises a bitter feeling, but a greater and a better opportunity for mankind. Yet in the performance of that duty it is no more than natural that at times there would be expressions one might take to be personal feelings. After the conflict is over we look back upon the many struggles feeling confident that every member has sought to do what he honestly and conscientiously believed to be for the best interests of all concerned, and we have that thought uppermost in our mind and we want to say to you, Mr.President, that we recognize that in no small way your assistance here as presiding officer has contributed in a large degree in bringing about the action upon which the people will ultimately look with approval. Not that they will say we have in every respect done that which they would desire us to perform or that they are entirely satisfied with each and every act or part thereof, but we believe that as a whole they will ultimately feel confident that it has been a session doing the most good for the greatest number.

Mr. President, as a slight token of appreciation this Senate has commissioned this committee to present to you the chair which you have occupied during this assembly, together with this gavel. When you go home and while in your home we trust that in silent meditation we may at least occupy a part of your thought and time, and when the rush and turmoil of this is over nothing but the kindest thoughts will be conveyed one to the other.

On behalf of the so-called minority party, of which I am a member, and on behalf of the majority party of this General Assembly, we wish you well.

President Harding responded as follows:

MR. PRESIDENT, CHAIRMAN AND SENATORS—This is a moment that I knew was coming and yet when the time arrives and the mind attempts to formulate the words to convey the thought, the task is not an easy one.

As I look back on the beginning days of the session, I can remember the conflicting thoughts and emotions before I assumed the duties of the office and now in looking back over the nearly one hundred days of the session I can see how little I realized then the real duties and obligations that rested upon me in the position that I was elected to fill.

The other evening I had opportunity to respond to the toast "Face to Face with the Senate." At that time I treated the subject in the lighter vein. This morning the other side, the serious side, presents itself

to me. Face to face with the Senate; fifty men—fifty-one men for one has left us. Every man here honestly representing his constituency and the state of Iowa. Every man trying to do that which in his judgment was for the best interests of all of the people of the state. Sitting here trying to be fair in presiding over the deliberations of this body, realizing when the gavel fell in the evening that I had fallen short of the real duties and obligations of the day, but knowing that I had attempted to carry out the duties and obligations as best I could. Face to face with fifty men representing this great state in representative government, working out the ideas and ideals of a great people. I am comparatively a young man. This has been an opportunity that has been worth while to me. Naturally, I am a partisan. By that I mean that naturally I get on one side or the other of every subject that is presented. Using a common expression, I like a fight. This has been an experience to me, to sit here and try to forget the controversy and be fair to every Senator; it has been an education that will be useful in the years to come, and I know will make me a better citizen—a better man. I will be able to approach the duties and responsibilities of life better for having had the experience.

I want you Senators to know that I appreciate every one of you and the work that you have done, some performing their labors in one way and others in another, but when the sum total is made up all have accomplished a part of their desires in their own way. You have been extremely kind to me; you have been uniformly fair to me. I know I have made some mistakes. I know that I have been wrong many times. In these mistakes, I ask your forgiveness. Today in accepting this gavel, in accepting the chair from your hands, I can look out on the tomorrow. We will forget the harsh things, and remember only the good, the binding ties of friendship will remain, and in the years to come I can feel myself now sitting in the easy chair going back over the members of this session and living it again and again with you fifty senators. Life is a flitting thing. We, perhaps, will never meet again in this way and the memory of my experience with the Thirty-fifth General Assembly and every senator will be a pleasant one and one that will be cherished.

I want again to thank you for your kindness and courtesy toward me and assure you that I appreciate it more than words can express.

I thank you.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the committee on Enrolled Bills submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate File No. 491, a bill for an act making special provision for the enforcement of sanitary conditions by the state board of health upon cmplaint made by five (5) or more citizens.

Also:

Senate File No. 553, a bill for an act making an appropriation for carrying out the provisions of Senate File No. 491.

Also:

Substitute for Senate File No. 146, a bill for an act to amend sections five (5), ten (10) twelve (12), fifteen (15) and sixteen (16) of chapter one hundred twenty-eight (128) acts of the Thirty-fourth General Assembly, relative to the duties and compensation of the state fire marshal and the deputy state fire marshal, and making an appropriation for the maintenance of the state fire marshal's office.

Also:

Senate File No. 551, a bill for an act to amend the law relating to the investment of the funds of life insurance companies and associations as the same appears in section eighteen hundred six (1806) Supplement to the Code, 1907.

Also:

Substitute for Senate File No. 424, a bill for an act to regulate the levy and collection of special assessments in cities and towns and cities acting under special charter and cities under commission plan of government. (Amendatory to chapter seven (7) title five (V) of the Code.)

Also:

Senate File No. 381, a bill for an act to repeal section five (5) of chapter ninety-four (94) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the duty of commerce council.

Also:

Senate File No. 367, a bill for an act relating to levees, drains, ditches and water courses additional to chapter two, (2) title X of the Code and amendments therto and to chapter two-a (2-a) title X of the Supplement to the Code, 1907, and amendments thereto and amending section one thousand nine hundred eighty-nine-a-twenty-one (1989-a-21) and section one thousand nine hundred eighty-nine-a-fifty-two (1989-a-52) of the Supplement to the Code, 1907, and section one thousand nine hundred eighty-nine-a-forty-nine (1989-a-49) as amended by section seven (7) chapter eighty-seven (87) laws of the Thirty-fourth General Assembly.

Also:

Senate File No. 287, a bill for an act to amend section two hundred twenty-seven (227) of the Supplement to the Code, 1907, relating to the division of the state into judicial districts and increasing the number of district judges in the fifteenth judicial district and provding for the appointment of a judge to fill the vacancy and for the election of a judge for the place at the next general election.

Also:

Senate File No. 482, a bill for an act to confer additional powers upon certain cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the Supplement to the Code, 1907, providing for the levy and collection of a special tax for the purchase and maintenance of apparatus and equipment for use in police service in the department of public safety.

Also:

Senate File No. 548, a bill for an act to legalize the issuance of $18,000.00 sewer outlet and disposal or purifying plant bonds of the city of Valley Junction, issued on the 3d day of February, A. D. 1913, and secured by special taxes levied and pledged to the payment of said bonds and interest.

Also:

Senate File No. 375, a bill for an act to amend section four thousand six hundred twelve (4612) of the Code relating to criminating question propounded to witness in certain cases.

Also:

Senate File No. 561, a bill for an act legalizing the acts of the city council, clerk and treasurer of the city of Belle Plaine, Iowa, relating to overdrafts upon the general fund, water fund, bond fund, city improvement fund, water and sewer fund, and sewer outlet fund.

JOHN H. TAYLOR,
Chairman.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the joint committee on Enrolled Bills submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

House File 362, a bill for an act to amend the law as it appears in section twenty?six hundred twenty-two (2622), Supplement to the Code, 1907, and to repeal the law as it appears in section twenty-seven hundred thirty-eight (2738), Supplement to the Code, 1907, as amended by chapter one hundred thirty (130), acts of the Thirty-fourth General Assembly, and to enact a substitute therefor, relating to normal institutes.

Also:

House File No. 441, a bill for an act to regulate the sale of calcium carbide or so-called carbide and prescribe the manner in which the same shall be packed and labeled.

Also:

House File No. 481, a bill for an act to amend the law as it appears in section twenty-three hundred fifty-eight (2358) of the Code, relating to partition fences.

Also:

House File 508, a bill for an act to amend the law as it appears in sections eight hundred seventy-nine-d (879-d), and eight hundred seventy-nine-g (879-g), Supplement to the Code, 1907, and to repeal section eight hundred seventy-nine-o (879-o), Supplement to the Code, 1907, relative to the powers and duties of river front improvement commissioners.

Also:

Senate File No. 548, a bill for an act to legalize the issuance of $18,000.00 sewer outlet and disposal or purifying plant bonds of the city of Valley Junction, issued on the 3rd day of February, A. D. 1913, and secured by special taxes levied and pledged to the payment of said bonds and interest.

Also:

Senate File No. 375, a bill for an act to amend section four thousand six hundred twelve (4612) of the Code relating to criminating questions propounded to witness in certain cases.

Also:

Senate File No. 561, a bil for an act legalizing the acts of the city council, clerk and treasurer of the city of Belle Pliine, Iowa, relating to overdrafts upon the general fund, water fund, bond fund, city improvement fund, water and sewer fund, and sewer outlet fund.

Also:

Senate File No. 491, a bill for an act making special provision for the enforcement of sanitary conditions by the state board of health upon cmplaint made by five (5) or more citizens.

Also:

Senate File No. 553, a bill for an act making an appropriation for carrying out the provisions of Senate File No. 491.

Also:

Substitute for Senate File No. 146, a bill for an act to amend sections five (5), ten (10) twelve (12), fifteen (15) and sixteen (16) of chapter one hundred twenty-eight (128) acts of the Thirty-fourth General Assembly, relative to the duties and compensation of the state fire marshal and the deputy state fire marshal, and making an appropriation for the maintenance of the state fire marshal's office.

Also:

Senate File No. 551, a bill for an act to amend the law relating to the investment of the funds of life insurance companies and associations as the same appears in section eighteen hundred six (1806) Supplement to the Code, 1907.

Also:

Substitute for Senate File No. 424, a bill for an act to regulate the levy and collection of special assessments in cities and towns and cities acting under special charter and cities under commission plan of government. (Amendatory to chapter seven (7) title five (V) of the Code.)

Also:

Senate File No. 381, a bill for an act to repeal section five (5) of chapter ninety-four (94) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the duty of commerce council.

Also:

Senate File No. 367, a bill for an act relating to levees, drains, ditches and water courses additional to chapter two, (2) title X of the Code and amendments thereto and to chapter two-a (2-a) title X of the Supplement to the Code, 1907, and amendments thereto and amending section one thousand nine hundred eighty-nine-a-twenty-one (1989-a-21) and section one thousand nine hundred eighty-nine-a-fifty-two (1989-a-52) of the Supplement to the Code, 1907, and section one thousand nine hundred eighty-nine-a-forty-nine (1989-a-49) as amended by section seven (7) chapter eighty-seven (87) laws of the Thirty-fourth General Assembly.

Also:

Senate File No. 287, a bill for an act to amend section two hundred twenty-seven (227) of the Supplement to the Code, 1907, relating to the division of the state into judicial districts and increasing the number of district judges in the fifteenth judicial district and provding for the appointment of a judge to fill the vacancy and for the election of a judge for the place at the next general election.

Also:

Senate File No. 482, a bill for an act to confer additional powers upon certain cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the Supplement to the Code, 1907, providing for the levy and collection of a special tax for the purchase and maintenance of apparatus and equipment for use in police service in the department of public safety.

Also:

House File No. 11, a bill for an act to amend section two hundred fifty-four-a tyenty (254-a20) of the Supplement to the Code, 1907, providing for the maintenance of dependent children whose mothers are widows.

Also:

House File No. 338, a bill for an act to amend section one (1) of chapter one hundred eighty-three (183) of the acts of the Thirty-fourth General Assembly, defining vagrancy.

Also:

House File No. 404, a bill for an act to amend section eight hundred sixteen (816) of the Code relating to lein of tax.

Also:

House File No. 451, a bill for an act to amend the law as it appears in section thirteen hundred and four (1304) of the Supplement to the Code, 1907, as amended by chapter 81 of the acts of the Thirty-third General Assembly and chapter 61 of the acts of the Thirty-fourth General Assembly, relating to exemptions of different classes of property.

Also:

House File No. 476, a bill for an act to amend section one (1) of chapforty-three (43) acts of the Thirty-fourth General Assembly relating to street improvements in towns, and to the levy of special taxes therefor.

Also:

House File No. 526, a bill for an act to amend section four thousand six hundred and twenty-three (4623) of the Code relating to books of account as evidence.

Also:

House File No. 515, a bill for an act to amend section thirteen hundred four (1304) of the Supplement to the Code, 1907, as amended by chapter sixty-one (61) of the acts of the Thirty-fourth General Asembly relating to the exemption of certain classes of property from taxation.

Also:

House File No. 691, a bill for an act providing that on and after July 1, 1913, all annual appropriations made to the state university, the Iowa state college of agriculture and mechanic arts, the Iowa state teachers college and the college for the blind shall be paid in monthly installments.

Also:

House File No. 647, a bill for an act for the relief of M. O. Clemmens for personal injuries sustained by him while employed as engineer in the state sanitarium for the treatment of tuberculosis at Oakdale, Iowa.

Also:

House File No. 677, a bill for an act to legalize the regular city election of the city of Winerset, Iowa, held on the 31st day of March, A. D. 1913, and to legalize a certain franchise, and the ratification thereof by the voters at such election, granted by the said city of Winterset to the Winterset mutual telephone company.

Also:

House File No. 684, a bill for an act to amend section four hundred ninety-one (491) of the Code, relative to deputy and clerk hire in the office of treasurer of counties containing a population of less than ten thousand.

Also:

House File No. 685, a bill for an act to amend the law relating to fire escapes at the same appears in section forty-nine hundred ninety-nine-a seven (4999-a7) Supplement to the Code, 1907.

Also:

House File No. 675, a bill for an act to amend the law relating to the levy of taxes for the support of cemeteries as the same appears in chapter thirty-eight (38) of the acts of the acts of the Thirty-third General Assembly, amendatory of sections five hundred eight-six (586) and eight hundred ninety-four (894) Supplement to the Code, 1907.

Also:

House File No. 694, a bill for an act to legalize the incorporation of the town of Lattners, Dubuque county, Iowa.

Also:

House File No. 695, a bill for an act to create in each township a special culvert fund for the year of 1913, to defray the cost of culverts constructed by the board of supervisors during 1913 upon the township road system.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

RESOLUTION.

Senator McCall offered the following resolution:

"Resolved, That the thanks of the Senate are hereby extended to the desk force, which has so faithfully and with uniform kindness and impartiality served this body during this, the Thirty-fifth General Assembly."

Senator McCall moved the adoption of the resolution.

Adopted unanimously.

Senator Balkema offered the following resolution:

To the President and members of the Senate of the Thirty-fifth General Assembly:

Whereas, I. L. Rerick, who has served as doorkeeper of your honorable body for the past three sessions, and his associate doorkeepers who have served during this session, wish to express their appreciation of the kindness shown them by yourselves and of the genial manner toward them, therefore, be it

Resolved, that a vote of thanks be extended to your honorable body for the courtesies received at your hands.

Adopted by a rising vote.

Senator Balkema moved that the resolution be printed in the Journal.

Carried.

Senator Larrabee spoke of the excellent work of the many committee clerks during this session, and stated that he desired, on the part of the Senate, to thank them for their attention to the work and their faithfulness during the entire session.

Unanimously approved by the Senators present.

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 concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution relative to final adjournment as amended and passed.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

Senate concurrent resolution relative to final adjournment.

House amendment.

By inserting before the word "adjournment" the words "sine die."

Senator Webber moved the amendment be concurred in.

Carried.

Resolution as amended was adopted.

Senator DeWolf offered the following concurrent resolution:

Concurrent Resolution Relative to the Participation of the State Historical Department in the Panama-Pacific International Exhibition at San Francisco, California.

Whereas, the people of Iowa are conscious of the tender ties of blood and sentiment that bind them to the people of California, and,

Whereas, in any participation of the people of Iowa with the people of California in the opening and commercial use of the Panama canal it may be desirable to stimulate interest in the history and traditions of our state, and

Whereas, the historical collections of the state have never been allowed to be carried outside the state without express authority from the General Assembly, therefore

Be it resolved by the Senate, the House concurring that the curator of historical collections be and he is hereby authorized and directed, by and with the consent of the board of trustees of the state historical department to prepare and ship a suitable collection of portraits, documents and object materials for use and display in connection with any exhibition or participation by or on behalf of the state of Iowa that may be made at the Panama-Pacific International Exhibition at San Francisco.

Senator DeWolf moved the adoption of the resolution.

Adopted.

Senator Heald, chairman of the committee on Printing, offered the following resolution:

Resolve, that the Senate express its appreciation of the poetical effusions of the Senator from Cherokee, regarding its members that have appeared from day to day in the Des Moines Capital, and that this resolution be printed in a publication to be designated by the President of the Senate.

Senator Heald moved the adoption of the resolution.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has 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 provide for the destruction of noxious weeds etc., and providing funds with which to destroy same and repealing all of chapter 96 of the aits of the Thirty-third General Assembly relating to weeds upon lands and highways.

A. C. GUSTAFSON,
Chief Clerk.

SENATE FILES SIGNED.

The President announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 367, 287, 482, 551, 424, 381, 491, 553, 146, 548, 375 and 561.

HOUSE MESSAGES CONSIDERED.

Senate File No. 136, a bill for an act to provide for the destruction of noxious weeds and other weeds and brush upon lands, highways and other places; prescribing penalties for the violation thereof; assessing the costs and expenses of the destruction of the same to the lands and owners thereof; and providing funds with which to destroy the same, and repealing all of chapter ninety-six (96) of the acts of the Thirty-third General Assembly, relating to weeds and brush upon lands and highways.

Senator Ames moved that the Senate concur in the following House amendment:

By striking out the word "and" in section 2, line eight and inserting a comma (,) in lieu thereof, and following the words "daucus Carota," inserting the words "and Russian Thistle (Salsola Kali, L. Var. Tagrus.)"

Also by striking out the words "road fund of the township," in section 3, lines forty-seven and forty-eight, and inserting in lieu thereof the words "fund upon which said warrants were drawn."

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Allen, Ames, Arney, Balkema, Boe, Clarkson, Cowles, Crist, Crow, DeWolf, Dunnegan, Francis, Gillette, Heald, Jewell, Jones, Kimball, Larrabee, Legel, Mattes, McColl, Neal, Nye, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spaulding, Sullivan, Taylor, Thomas, Webber, White—35.

The nays were:

Doran, Farr, Fellows, Hilsinger, Ream—5.

Absent or not voting:

Balluff, Chase, Darrah, Garrett, Hagemann, Malmberg, McManus, Perkins, Wilson of Appanoose, Wilson of Clinton—10.

So the House amendment, having received a constitutional majority, was declared concurred in.

Senator Allen filed the following motion:

I move to reconsider the vote by which Senate File No. 136 passed the Senate.

J. H. ALLEN.

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 by substitute and passed the following bill in which the concurrence of the House was asked:

Senate File No. 407, a bill for an act to amend the law relating to the inspection of inns etc., as the same appears in chapter 168 of the acts of the Thirty-third General Assembly.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

House File No. 700, a bill for an act for the levy of a special tax upon the taxable property of the state for the purpose of creating a fund for the further equipment and support of extension work, experimentation, colegiate and non-collegiate courses of study at the Iowa State College of Agriculture and Mechanic Arts.

Read first and second time.

THIRD READING OF BILLS.

On motion of Senator Mattes, House File No. 700, a bill for an act for the levy of a special tax upon the taxable property of the state for the purpose of creating a fund for the further equipment and support of extension work, experimentation, collegiate and non-collegiate courses of study at the Iowa State College of Agriculture and Mechanic Arts, was taken up and considered.

Senator Mattes moved that the rules by which no bill may be read the second and third times the same day, be suspended.

Carried.

President Pro Tem Savage was called to the chair at 10:30.

President Harding resumed the chair at 10:40.

The bill was read for information.

Senator Schrup offered the following amendment and moved its adoption:

I move to amend by striking out the words "one-half of a mill" and substituting the words "one-quarter of a mill."

Lost.

Senator Nye moved the previous question.

Carried.

Senator Mattes moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Ames, Balkema, Balluff, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Doran, Francis, Heald, Hilsinger, Jewell, Jones, Kimball, Legel, Mattes, McColl, Neal, Ream, Robinson, Savage, Sheean, Smith, Spalding, Sullivan, Webber, White, Wilson of Clinton—30.

The nays were:

Allen, Arney, Boe, Dunnegan, Farr, Fellows, Garrett, Gillette, Larrabee, Malmberg, Nye, Quigley, Schrup, Wilson of Appanoose —14.

Absent or not voting:

Darrah, Hagemann, McManus, Perkins, Taylor, Thomas—6.

So the bill having received a constitutional majority was declared to have passed the Seante and its title was agreed to.

EXPLANATION OF VOTE.

I am opposed to passing a measure of great importance without being able to give the same sufficient consideration to be satisfied as to the terms of the same and the necessity of such law.

FRED LARRABEE.

EXPIANATION OF VOTE.

I vote no because I am opposed to the principal of a millage for the educational institutions and not because I am opposed to the support wanted.

J. H. ALLEN.

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 and indefinitely postponed House File No. 327.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to 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 make appropriations for the state university, the Iowa state college of agriculture and mechanic arts, the Iowa state teachers' college and the college for the blind.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 562, a bill for an act to make an appropriation for the payment of state and judicial officers, state and other expenses.

A. C. GUSTAFSON,
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. 407, a bill for an act repealing section 170-d of supplement to the code, 1907, and enact a substitute in lieu thereof relating to turning all fees collected into state treasury.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted conference report and conference committee amendments to the following bill in which the concurrence of the House was asked:

House File No. 326, a bill for an act making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission.

A. C. GUSTAFSON,
Chief Clerk.

CONFERENCE COMMITTEE REPORT.

Senator Mattes from the conference committee on House File 326 submitted the following report:

To the Senate and House of Representatives of the Thirty-fifth General Assembly:

Your Conference committee, to whom was submitted House File No. 326, beg leave to report that they have had same under consideration, and recommend the following:

Amend by striking out of the second line of section 1, the words and figures "twenty-five thousand dollars ($25,000.00)" and inserting in lieu thereof the words and figures "forty thousand dollars ($40,000.00)."

Also omit the period (.) at the end of section 1, and add thereto the following: "and to investigate and prepare cases affecting Iowa intrastate rates and services."

We also recommend that House File No. 327 be indefinitely postponed.

JOSEPH MATTES,
F. F. JONES,
N. J. SCHRUP,
A. M. MCCOLL.
Senate Committee.
J. M. BROCKWAY,
RALPH SHERMAN,
ALBERT HANSEN,
H. O. BERNBROCK.
House Committee.

Senator Mattes moved the report be adopted.

Adopted.

THIRD READING OF BILLS.

On motion of Senator Mattes, House File Bill No. 326, a bill for an act making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission, was taken up and considered.

Senator Mattes moved that the following amendments as recommended by the conference committee be adopted and concurred in.

Amend by striking out of the second line of section 1 the words and figures "twenty-five thousand dollars ($25,000.00)" and inserting in lieu thereof the words and figures "Forty thousand dollars ($40,000.00.)"

Also omit the period (.) at the end of section 1, and add thereto the following: "And to investigate and prepare cases affecting Iowa intrastate rates and services."

On the question, "Shall the Senate adopt and concur in the amendments recommended by the conference committee?"

The ayes were:

Allen, Ames, Balkema, Balluff, Boe, Clarkson, DeWolf, Doran, Fellows, Francis, Gillette, Heald, Jewell, Kimball, Larrabee, Legel, Mattes, McColl, Nye, Ream, Robinson, Savage, Schrup, Sheean, Spauding, Sullivan, Taylor, White, Wilson of Appanoose—29.

The nays were:

None.

Absent or not voting:

Arney, Chase, Cowles, Crist, Crow, Darrah, Dunnegan, Farr, Garrett, Hagemann, Hilsinger, Jones, Malmberg, McManus, Neal, Perkins, Quigley, Smith, Thomas, Webber, Wilson of Clinton—21.

So the amendments having received a constitutional majority were declared concurred in.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the joint committee on Enrolled Bills, submitted the following report and moved its adoption.

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

House File No. 535, a bill for an act to prevent fraud in the manufacture and sale of commercial fertilizers for licensing of such products and making provision for enforcement.

JOHN H. TAYLOR,
Chairman Senate Committee.

W. W. ANDERSON,
Chairman House Committee.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor 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. 548, a bill for an act to legalize the issuance of $18,000.00 sewer outlet and disposal or purifying plant bonds of the city of Valley Junction, issued on the 3d day of February, A. D. 1913, and secured by special taxes levied and pledged to the payment of said bonds and interest.

Also:

Senate File No. 375, a bill for an act to amend section four thousand six hundred twelve (4612) of the Code relating to criminating question propounded to witness in certain cases.

Also:

Senate File No. 561, a bill for an act legalizing the acts of the city council, clerk and treasurer of the city of Belle Plaine, Iowa, relating to overdrafts upon the general fund, water fund, bond fund, city improvement fund, water and sewer fund, and sewer outlet fund.

Also:

Senate File No. 491, a bill for an act making special provision for the enforcement of sanitary conditions by the state board of health upon complaint made by five (5) or more citizens.

Also:

Senate File No. 553, a bill for an act making an appropriation for carrying out the provisions of Senate File No. 491.

Also:

Substitute for Senate File No. 146, a bill for an act to amend sections five (5), ten (10) twelve (12), fifteen (15) and sixteen (16) of chapter one hundred twenty-eight (128) acts of the Thirty-fourth General Assembly, relative to the duties and compensation of the state fire marshal and the deputy state fire marshal, and making an appropriation for the maintenance of the state fire marshal's office.

Also:

Senate File No. 551, a bill for an act to amend the law relating to the investment of the funds of life insurance companies and associations as the same appears in section eighteen hundred six (1806) Supplement to the Code, 1907.

Also:

Substitute for Senate File No. 424, a bill for an act to regulate the levy and collection of special assessments in cities and towns and cities acting under special charter and cities under commission plan of government. (Amendatory to chapter seven (7) title five (V) of the Code.)

Also:

Senate File No. 381, a bill for an act to repeal section five (5) of chapter ninety-four (94) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the duty of commerce council.

Also:

Senate File No. 367, a bill for an act relating to levees, drains, ditches and water courses additional to chapter two, (2) title X of the Code and amendments therto and to chapter two-a (2-a) title X of the Supplement to the Code, 1907, and amendments thereto and amending section one thousand nine hundred eighty-nine-a-twenty-one (1989-a-21) and section one thousand nine hundred eighty-nine-a-fifty-two (1989-a-52) of the Supplement to the Code, 1907, and section one thousand nine hundred eighty-nine-a-forty-nine (1989-a-49) as amended by section seven (7) chapter eighty-seven (87) laws of the Thirty-fourth General Assembly.

Also:

Senate File No. 287, a bill for an act to amend section two hundred twenty-seven (227) of the Supplement to the Code, 1907, relating to the division of the state into judicial districts and increasing the number of district judges in the fifteenth judicial district and provding for the appointment of a judge to fill the vacancy and for the election of a judge for the place at the next general election.

Also:

Senate File No. 482, a bill for an act to confer additional powers upon certain cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the Supplement to the Code, 1907, providing for the levy and collection of a special tax for the purchase and maintenance of apparatus and equipment for use in police service in the department of public safety.

JOHN H. TAYLOR,
Chairman.

Adopted.

HOUSE MESSAGE CONSIDERED.

House File No. 207, a bill for an act making appropriations for the state university, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, and the College for the Blind.

Read first and second time.

THIRD READING OF BILLS.

On motion of Senator Mattes, substitute for House File No. 207, a bill for an act making appropriations for the State University, the Iowa State Teachers' College and the College for the Blind, was taken up, and considered.

Senator Mattes moved that the rule by which no bill may be read a second and third time the same day be suspended.

Carried.

Senator Mattes 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 ayes were:

Allen, Ames, Arney, Balkema, Balluff, Chase, Clarkson, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Jones, Kimball, Larrabee, Legel, Mattes, McColl, Neal, Nye, Perkins, Quigley, Ream, Robinson, Savage, Shecan, Smith, Spaulding, White, Webber, Wilson of Appanoose—36.

The nays were:

None.

Absent or not voting:

Boe, Cowles, Crist, Dunnegan, Hagemann, Hilsinger, Jewell, Malmberg, McManus, Schrup, Sullivan, Taylor, Thomas, Wilson of Clinton—14.

Senator Mattes offered the following amendment to the title and moved its adoption:

SENATE AMENDMENT.

Amend the title by striking out the word "and" between the words "college" and "the", in the last line, inserting in lieu thereof a comma (,), and further by striking out the period (.) after the word "blind", inserting in lieu thereof a comma (,), and adding the following words: "the Iowa state college of agriculture and mechanic arts."

Adopted.

So the bill having received a constituional majority was declared to have passed the Senate and its title as amended was agreed to.

RESOLUTIONS.

Senator Mattes offered the following resolution:

Whereas, we are now close to the time of final adjournment, therefor, be it

Resolved that no bills be reported by the Sifting committee of the Senate.

JOSEPH MATTES.

Senator Mattes moved the adoption of the resolution.

Adopted unanimously.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the committee on Enrolled Bills submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate File No. 559, a bill for an act for the purpose of having a patent issued in the name of Charles Martin for a certain tract of land.

Also:

Senate Joint Resolution No. 14, approving estimates of cost, plans and specifications for buildings at the state university, the state college of agriculture and mechanic arts, and the state teachers' college.. Approving estimates of cost, plans and specifications for the erection of new buildings at the state university, at the state college of agriculture and mechanic arts, and at the state teachers' college. Approving estimates of cost, plans and specifications for the erection of a gymnasium, reconstruction of roof of medical laboratory, changes in chemical laboratory,

warehouse, tunnel to currier hall, kitchen for hospital, at the state university; a chemistry building, agricultural laboratories, transportation laboratory, animal husbandry laboratories, at the state college of agriculture and mechanic arts; a dormitory for women, and a manual training building at the state teachers' college.

Also:

Senate File No. 488, a bill for an act to amend the law as it appears in section ten hundred ninety-three (1093) Supplement to the Code, 1907, relating to election boards.

Also:

Substitute for Senate File No. 252, a bill for an act to amend the law as it appears in sections eighty-six (86), ninety-eight (98), one hundred fifteen (115) and two hundred eleven (211) of the Code, and section two hundred five (205) Supplement to the Code, 1907, relating to the compensation of the secretary of state, the auditor of state, treasurer of state, the attorney general, and the clerk of the supreme court.

Also:

Senate File No. 348, a bill for an act to repeal section two hundred twelve (212) of the Supplement to the Code, 1907, relating to the appointment of an assistant attorney general and to his salary, and to enact a substitute therefor.

Also:

Senate File No. 82, a bill for an act to provide additional chairs in the college of homeopathic medicine of the state university of Iowa, additional to chapter 168 of the acts of the Sixteenth General Assembly.

Also:

Senate File No. 289, a bill for an act to amend the law as it appears in section twenty-four hundred seventy-two (2472) of the Supplement to the Code, 1907, and section twenty-four hundred seventy-four (2474) of the Code, and to repeal section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, and chapter one hundred forty-four (144) of the acts of the Thirty-third (33) General Assembly amendatory to section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, and to enact a substitute therefor, all relating to the bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof.

Also:

Senate File No. 327, a bill for an act to amend section two thousand seventy-seven (2077) of the Supplement to the Code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state at which fairs are or may hereafter be held.

Also:

Senate File No. 383, a bill for an act to amend the law as it appears in chapter eleven-c (11-c) of title thirteen (XIII) of the Supplement to the Code, 1907, relating to the state sanitorium for the treatment of tuberculosis, to provide for the care of advanced cases in said sanitorium and making an appropriation therefor, and to repeal the law as it appears in section twenty-seven hundred twenty-seven-a86 (2727-a86) of the Supplement to the Code, 1907, and to enact a substitute therefor requiring counties to pay for the care of patients in the sanitorium and making such patients and persons legally bound for their support liable to counties for money so paid.

Also:

Senate File No. 446, a bill for an act to amend section four (4) of chapter sixty-three (63) acts of the Thirty-fourth General Assembly, relating to assessment of stocks of national, state and savings banks.

Also:

Senate File No. 483, a bill for an act to confer certain powers on cities organized under chapter forty-eight (48) of the acts of the Thirty-second general Assembly of Iowa, as the same appears in chapter fourteen-c (14-c) of title five of the Supplement to the Code, 1907, providing for the levy and collection of a special tax for the purchase, equipment, construction and maintenance of a garbage disposal plant.

Also:

Senate Joint Resolution No. 16, a bill for an act authorizing and directing the secretary of state to publish, in pamphlet form, Senate File No. 3, known as the workmen's compensation act.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor from the joint committee on Enrolled Bills submitted the following report and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report they have examined and find correctly enrolled:

Senate File No. 289, a bill for an act to amend the law as it appears in section twenty-four hundred seventy-two (2472) of the Supplement to the Code, 1907, and section twenty-four hundred seventy-four (2474) of the Code, and to repeal section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, and chapter one hundred forty-four (144) of the acts of the Thirty-third (33) General Assembly amendatory to section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, and to enact a substitute therefor, all relating to the bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof.

Also:

Senate File No. 327, a bill for an act to amend section two thousand seventy-seven (2077) of the Supplement to the Code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state at which fairs are or may hereafter be held.

Also:

Senate File No. 383, a bill for an act to amend the law as it appears in chapter eleven-c (11-c) of title thirteen (XIII) of the Supplement to the Code, 1907, relating to the state sanitorium for the treatment of tuberculosis, to provide for the care of advanced cases in said sanitorium and making an appropriation therefor, and to repeal the law as it appears in section twenty-seven hundred twenty-seven-a86 (2727-a86) of the Supplement to the Code, 1907, and to enact a substitute therefor requiring counties to pay for the care of patients in the sanitorium and making such patients and persons legally bound for their support liable to counties for money so paid.

Also:

Senate File No. 446, a bill for an act to amend section four (4) of chapter sixty-three (63) acts of the Thirty-fourth General Assembly, relating to assessment of stocks of national, state and savings banks.

Also:

Senate File No. 483, a bill for an act to confer certain powers on cities organized under chapter forty-eight (48) of the acts of the Thirty-second general Assembly of Iowa, as the same appears in chapter fourteen-c (14-c) of title five of the Supplement to the Code, 1907, providing for the levy and collection of a special tax for the purchase, equipment, construction and maintenance of a garbage disposal plant.

Also:

Senate Joint Resolution No. 16, a bill for an act authorizing and directing the secretary of state to publish, in pamphlet form, Senate File No. 3, known as the workmen's compensation act.

Also:

Substitute for Senate File No. 252, a bill for an act to amend the law as it appears in sections eighty-six (86), ninety-eight (98), one hundred fifteen (115) and two hundred eleven (211) of the Code, and section two hundred five (205) Supplement to the Code, 1907, relating to the compensation of the secretary of state, the auditor of state, treasurer of state, the attorney general, and the clerk of the supreme court.

Also:

Senate File No. 348, a bill for an act to repeal section two hundred twelve (212) of the Supplement to the Code, 1907, relating to the appointment of an assistant attorney general and to his salary, and to enact a substitute therefor.

Also:

Senate File No. 82, a bill for an act to provide additional chairs in the college of homeopathic medicine of the state university of Iowa, additional to chapter 168 of the acts of the Sixteenth General Assembly.

Also:

Senate File No. 559, a bill for an act for the purpose of having a patent issued in the name of Charles Martin for a certain tract of land.

Also:

Senate Joint Resolution No. 14, approving estimates of cost, plans and specifications for buildings at the state university, the state college of agriculture and mechanic arts, and the state teachers' college.. Approving estimates of cost, plans and specifications for the erection of new buildings at the state university, at the state college of agriculture and mechanic arts, and at the state teachers' college. Approving estimates of cost, plans and specifications for the erection of a gymnasium, reconstruction of roof of medical laboratory, changes in chemical laboratory, warehouse, tunnel to currier hall, kitchen for hospital, at the state university; a chemistry building, agricultural laboratories, transportation laboratory, animal husbandry laboratories, at the state college of agriculture and mechanic arts; a dormitory for women, and a manual training building at the state teachers' college.

Also:

Senate File No. 488, a bill for an act to amend the law as it appears in section ten hundred ninety-three (1093) Supplement to the Code, 1907, relating to election boards.

JOHN H. TAYLOR,
Chairman Senate Committee.
W. W. ANDERSON,
Chairman House Committee.

Adopted.

HOUSE MESSAGE CONSIDERED.

Senate File No. 407, a bill for an act to repeal chapter one hundred sixty-eight (168) of the acts of the Thirty-third General Assembly, and to enact in lieu thereof the following relating to hotels, public lodging houses and restaurants, defining the same and prescribing rules for their operation and maintenance, so as to insure the safety and health of employes and patrons of same, providing for inspection thereof, establishing a hotel commission and providing for a hotel commissioner, and for the licensing of hotel and restaurant keepers, and fixing penalties for violation of such rules and regualtions.

Senator Kimball moved that the Senate concur in the following House amendment:

HOUSE SUBSTITUTE AMENDMENT.

A Bill for an Act to Amend the Law Relating to the Inspection of Hotels, Inns and Lodging Houses as the Same Appears in Chapter One Hundred Sixty-eight (168) of the Acts of the Thirty-third General Assembly.

Be it enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in section one (1) of chapter one hundred sixty-eight (168), of the acts of the Thirty-third General Assembly, be and the same is hereby amended by striking from the fourth line of said section the word and figures "ten (10)" and by inserting in lieu thereof the word and figures "four (4)."

Sec. 2. That the law as it appears in section six (6), of chapter one hundred sixty-eight (168), of the acts of the Thirty-third General Assembly, be and the same is hereby amended by adding thereto at the end thereof the following:

"Each bed, bunk, cot or other sleeping place provided for the use of guests shall be supplied with pillow-slips and under and top sheets, each top sheet to be made ninety-six (96) inches long, and of sufficient width to completely cover the mattress and springs; said sheets and pillow-slips to be made of white cotton or linen, and all such sheets and pillow slips, after being used by one guest, to be washed and ironed before they are used by any other guest, a clean sheet being furnished each succeeding guest. All bedding used in any hotel shall be thoroughly aired and kept clean. Any room in any hotel under this act which shall become infested with vermin or bed-bugs shall be renovated until said vermin or bed-bugs are exterminated."

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

On the question, "Shall the Senate concur in House amendment?"

The ayes were:

Allen, Arney, Balkema, Boe, Crist, DeWolf, Doran, Francis, Gillette, Heald, Jewel, Jones, Kimball, Larrabee, Mattes, McColl, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Sheean, Smith, Spalding, Sullivan, Webber, White—28.

The nays were:

Balluff, Neal, Wilson of Appanoose—3.

Absent or not voting:

Ames, Chase, Clarkson, Cowles, Crow, Darrah, Dunnegan, Farr, Fellows, Garrett, Hagemann, Hilsinger, Legel, Malmberg, McManus, Ream, Taylor, Thomas, Wilson of Clinton—19.

So the House amendment having received a constitutional majority was declared concurred in.

THIRD READING OF BILLS.

On motion of Senator Savage, House File No. 698, a bill for an act to amend the law as the same appears in chapter two (2), acts of the Thirty-fourth General Assembly, authorizing the Executive Council to pay court costs taxed to or other expenses incurred by the state in any suit or proceeding instituted by or against any of the state departments, was taken up and considered.

The bill was read for information.

Senator Savage moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Arney, Balkema, Balluff, Boe, Clarkson, Cowles, Crist, Crow, Darrah, DeWolf, Doran, Francis, Garrett, Gillette, Heald, Hilsinger, Jones, Kimball, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Robinson, Savage, Schrup, Sheean, Spaulding, Thomas, Webber, White, Wilson of Appanoose—35.

The nays were:

None.

Absent or not voting:

Chase, Dunnegan, Farr, Fellows, Hagemann, Jewell, Larrabee, Legel, McManus, Quigley, Ream, Smith, Sullivan, Taylor, Wilson of Clinton—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

INTRODUCTION OF BILLS.

By Senator Francis, Senate File No. 563:

A BILL For an Act to Regulate Persons or Corporations Engaged in Owning, Operating or Maintaining Water Power Plants or Dams Where Electrical Energy or Water Power is Generated, for the Purpose of Furnishing or Selling Electrical Energy or Water Power Generally to

the Public, or for the Selling of Such Power for the Purpose of Furnishing Electrical Energy or Water Power to Municipalities or Public Utilities, and Granting to Such Persons or Corporations the Power of Eminent Domain.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. Every person, firm or corporation owning, operating or maintaining water power plants or dams, whether located upon streams or waters wholly within this state, or upon any navigable water lying between this and adjoining states, at which water power plant or dam there is generated electrical energy or water power, for the purpose of selling electrical energy or water power to the public generally, or furnishing water power or electrical energy to other persons or corporations, who in turn shall supply the public, or municipal corporations, or public utilities with water power or electrical energy, is hereby declared to be a public utility, and as such, subject to control and regulation.

Sec. 2. All persons and corporations owning or operating or maintaining water power plants or dams, as is described in section 1 hereof shall only charge and receive for the water power and electrical energy sold such prices as are just and reasonable, and such water power and electrical energy shall be disposed of without unjust discrimination; provided, however, that all such persons or corporations may retain and use such water power or electrical energy as shall be reasonably necessary for their own uses or purposes.

Sec. 3. All persons and corporations engaged in owning, operating or maintaining water power plants or dams, as described in section 1 hereof, shall have the right and power to take, own and hold so much real estate as may be reasonably necessary for the location, construction and convenient use of its dam, power house, waterways and all other buildings, improvements and appurtenances reasonably necessary for the convenient use and operation of its said plant, including all land that may be subject to overflow by reason of the construction, operation and use of said plants. Real estate necessary for the uses above described may be taken by such persons or companies in the manner prescribed by chapter four (4), of titl ten (X), of the Code of Iowa.

Provided, however, that before the rights and powers above defined are exercised, an application therefor shall be made to the board of railroad commissioners and their consent thereto obtained. Nothing herein provided shall be construed to repeal Senate File No. 57 as approved April 11, 1913, and the right to construct transmission lines is governed by said act.

Sec. 4. Nothing contained in this act shall be taken to constitute any waiver of any claim that the state of Iowa may have in or to the ownership of the beds and waters of lakes, rivers, streams, meandered streams and navigable rivers within this state, or between this state and any adjoining state, or shall constitute any consent to any occupation or use of any such bed or water without the permission of the state now or hereafter, the state hereby reserving to itself all such rights as it may have.

in and to the ownership of submerged lands and waters within the limits of the state; it being hereby specifically provided that the rights and powers here granted to any person, firm, or corporation, shall be subject to the provisions of section 1619 of the code, and shall not constitute a vested or contract right, and shall be subject to revocation and regulation by the state legislature; the right to repeal or amend this act being specifically reserved.

Sec. 5. Before any person, firm or corporation shall hereafter commence the construction of any water power plant they shall apply to the board of railroad commissioners and secure the consent of said commissioners upon such terms and conditions as said commissioner may prescribe.

Sec. 6. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Daily News and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Read first and second time and referred to sifting committee.

HOUSE FILES SIGNED.

President announced that as President of the Senate he had signed in the presence of the Senate, House Files Nos. 11, 515, 526, 451, 338, 476, 404, 694, 695, 685, 677, 691, 647, 684, 675 and 535.

President announced that the Senate would be at ease, subject to the call of the chair.

Senate was at ease.

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 bill in which the concurrence of the House was asked:

Senate File No. 557, a bill for an act making appropriation for the Iowa State College of Agriculture and Mechanic Arts.

A. C. GUSTAFSON,
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. 1, a bill for an act to provide for the regulation and supervision of investment companies and providing penalties thereof.

A. C. GUSTAFSON,
Chief Clerk.

THIRD READING OF BILLS.

The sifting committee returned to the Senate House File No. 358.

On motion of Senator Savage, House File No. 358, a bill for an act to repeal section four hundred and ninety-five (495) of the supplement to the code, 1907, and to enact a substitute therefor, relating to the duties and compensation of county recorder, was taken up, and considered.

Senator Savage 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 ayes were:

Allen, Ames, Boe, Cowles, Crow, DeWolf, Doran, Farr, Fellows, Gillette, Heald, Hilsinger, Jewell, Jones, Legel Malmberg, Mattes, McColl, Nye, Quigley, Robinson, Savage, Schrup, Sheean, Spaulding, Sullivan, Thomas, Webber, White, Wilson of Appanoose, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Arney, Balkema, Balluff, Chase, Clarkson, Crist, Darrah, Dunnegan, Francis, Garrett, Hagemann, Kimball, Larrabee, McManus, Neal, Perkins, Ream, Smith, Taylor—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Mattes, House Joint Resolution No. 16, approving estimate of cost, plans and specifications for buildings and improvements at the Soldiers' Orphans' Home, School for the Deaf, Institute for the Feeble Minded children, State Sanatorium for the treatment of Tuberculosis, Industrial School for boys, Mt. Pleasant State Hospital for the Insane, Independence State Hospital for the Insane, Cherokee State Hospital for Insane, State Hospital for Inebriates, State Penitentiary and Reformatory, was taken up, and considered.

The resolution was read for information.

Senator Mattes moved that the rules be suspended, the reading just had be considered the third reading, which motion prevailed.

On the question, Shall joint resolution pass?''

The ayes were:

Allen, Ames, Balkema, Boe, Crist, Crow, Darrah, DeWolf, Doran, Farr, Fellows, Francis, Gillette, Heald, Hilsinger, Jewell, Jones, Kimball, Larrabee, Malmberg, Mattes, McColl, Nye, Perkins, Quigley, Ream, Robinson, Savage, Sheean, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Arney, Balluff, Chase, Clarkson, Cowles, Dunnegan, Garrett, Hagemann, Legel, McManus, Neal, Schrup, Smith, Taylor, White —15.

So the House Joint Resolution having received a constitutional majority was declared to have passed the Senate.

MOTIONS.

Senator Ames called up for consideration the motion filed to reconsider the vote by which Senate File No. 136 passed the Senate, and moved the motion to reconsider be laid on the table.

Carried.

Senator McColl asked unanimous consent to withdraw the motion filed by him to grant codes to the Journal clerks.

Consent granted.

INTRODUCTION OF BILLS.

By committee on Ways and Means, Senate File No. 564.

A Bill for an Act to Provide for the General Levy for State Purposes for the Years Nineteen Hundred and Thirteen (1913 and Nineteen Hundred and Fourteen (1914).

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 thirteen (1913) 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 eight hundred thousand dollars ($2,800,000), and in the year nineteen hundred fourteen (1914) shall fix the rate necessary to yield approximately the further sum of two million eight hundred thousand dollars ($2,800,000).

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 times.

THIRD READING OF BILLS.

On motion of Senator Allen, Senate File No. 564, a bill for an act to provide for the general levy for state purposes for the years nineteen hundred thirteen (1913) and nineteen hundred and fourteen (1914), was taken up and considered.

Senator Allen moved that the rule whereby no bill may be read the second and third times the same day be suspended.

Carried unanimously.

The bill was read for information.

Senator Allen moved that the rules be suspended, the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Allen, Ames, Balkema, Crist, Crow, DeWolf, Doran, Farr, Fellows, Francis, Gillette, Heald, Hilsinger, Jewell, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Robinson, Savage, Schrup, Spaulding, Sullivan, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

None.

Absent or not voting:

Arney, Balluff, Boe, Chase, Clarkson, Cowles, Darrah, Dunnegan, Garrett, Hagemann, Jones, Kimball, McManus, Ream, Sheean, Smith, Taylor, White—18.

So the bill having received a constitutional majority was declared to have passed the Senate and its title was agreed to.

On motion of Senator Thomas, Senate File No. 1, a bill for an act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof, was taken up, and considered.

Senator Thomas moved that the Senate concur in the following House amendments:

That sub-division one of section 18 be amended by inserting the following between the words "associations" which appears be-

tween the eighth and ninth lines the word "or" which appears in the ninth line of said sub-division, to-wit: A comma (,) and "or to the sale of real estate under bond or contract where the actual transfer of title thereto is contingent upon the future payment or consideration."

By striking out the comma (,) following the word "commission" in the sixth line of subdivision four of section 18 and inserting in lieu therof a period (.).

By striking out all of said subdivision four following the word "commission."

That section 15 be amended by striking out the period (.) at the end of said section and inserting in lieu thereof a semi-colon (;) and the following: "Provided that if it appears such violation was not intentional and no fraud was shown only so much of said bond shall be forfeited which shall equal the amount of damages sustained."

Also strike out the word "Iowa" in line sixteen of section 1.

On the question, "Shall the Senate Concur in House amendments?"

The ayes were:

Allen, Ames, Arney, Boe, Chase, Crist, Darrah, Farr, Fellows, Francis, Garrett, Gillette, Heald, Jewell, Jones, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Quigley, Schrup, Sheean, Smith, Spaulding, Sullivan, Thomas, Wilson of Appanoose, Wilson of Clinton—32.

The nays were:

Doran, Savage, Webber—3.

Absent or not voting:

Balkema, Balluff, Clarkson, Cowles, Crow, DeWolf, Dunnegan, Hagemann, Hilsinger, McManus, Perkins, Ream, Robinson, Taylor, White—15.

So the House amendments having received a constitutional majority were declared concurred in.

Senator Thomas moved that the vote by which Senate File No. 1 passed the Senate be reconsidered and the motion to reconsider be laid on the table.

Carried.

On motion of Senator Mattes, Senate File No. 555, a bill for an act amending chapter two hundred one (201) of the laws of the

Thirty-fourth General Assembly, relating to plans and specifications and estimates of cost of buildings under the control of the board of education and the employment of an architect and assistants and limiting expenditure therefor, was taken up, considered, and the report of the committee adopted.

Senator Mattes moved that the following amendments be adopted.

Strike out section (3) three of the substitute as passed by the House.

Adopted.

Senator Mattes 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 ayes were:

Allen, Ames, Arney, Balkema, Boe, Darrah, Doran, Farr, Fellows, Francis, Garrett, Gillette, Heald, Jewell, Kimball, Larrabee, Legel, Malmberg, Mattes, McColl, Neal, Nye, Perkins, Quigley, Robinson, Schrup, Sheean, Smith, Spaulding, Thomas, Webber, Wilson of Appanoose, Wilson of Clinton—33.

The nays were:

White—1.

Absent or not voting:

Balluff, Chase, Clarkson, Cowles, Crist, Crow, DeWolf, Dunnegan, Hagemann, Hilsinger, Jones, McManus, Ream, Savage, Sullivan, Taylor—16.

Senator Allen offered the following amendment and moved its adoption:

I move to amend the title by placing a period (.) after the word "education" in the second line from the close of the title and striking out all the words and punctuations following said word "education."

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended was agreed to.

SENATE FILES SIGNED.

President announced that as President of the Senate he had signed in the presence of the Senate, Senate Files Nos. 252, 348, 82, 559, 488, 446, 483, 16, 289, 327, 383 and Senate Joint Resolution No. 14.

MOTION.

Senator Webber offered the following motion:

I move that the Secretary of State be instructed to send the Senate Journal of Saturday, April 19th, 1913, to the home addresses of the different senators. J. F. WEBBER.

Carried and so directed.

President announced that the Senate would be at ease, subject to the call of the chair.

Senate was at ease.

President called the Senate to order.

HOUSE FILES SIGNED.

President announced that as President of the Senate he had signed in the presence of the Senate, House Files Nos. 49, 441, 401, 641, 108, 693 and 412.

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 relative to the participation of the State Historical Department in the Panama Pacific Exposition.

A. C. GUSTAFSON,
Chief Clerk.

Also:

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. 564, a bill for an act to provide for the general levy for state purposes for the years 1913 and 1914.

A. C. GUSTAFSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House amendments to

Senate File No. 555, a bill for an act amending chapter 201 of the Thirty-fourth General Assembly relating to plans and estimates of cost of building under the Board of Control.

A. C. GUSTAFSON,
Chief Clerk.

MOTION.

Senator Webber offered the following motion, and moved its adoption:

I move that a committee of three be appointed to wait upon the governor and ascertain whether or not he has any further communication to lay before the Senate and notify him that the Senate is ready to adjourn sine die.

Adopted.

President appointed as such committee, Senators Webber, Perkins and McColl.

REPORT OF SPEICIAL COMMITTEE.

Senator Webber, from the special committee to visit the governor to ascertain if he had further communications for the Senate, reported that they had performed that duty and were informed that the governor had no further communication for the Senate.

Report received and committee discharged.

MOTION.

Senator Larrabee moved that the secretary of the Senate be instructed to correct the Journal for today and that when so corrected same would stand approved.

Carried and so ordered.

The Journal of April 18th was taken up, corrected and approved.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate Joint Resolution No. 15, fixing the number and compensation of employes in the department of state at the seat of government.

Also:

Senate File No. 451, a bill for an act granting additional powers to the executive council.

Also:

Senate File No. 452, a bill for an act to amend the law relating to the compensation of members of the general assembly as the same appears in section twelve (12) of the Code, as amended by chapter one (1) of the acts of the Thirty-fourth General Assembly.

Also:

Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa State College of Agriculture and Mechanic Arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151), of the acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) of the acts of the Thirty-fourth General Assembly.

Also:

Senate File No. 522, a bill for an act to establish an insurance department providing for an insurance commissioner, defining his duties, fixing his compensation and determining his term of office.

Also:

Senate File No. 407, a bill for an act to amend the law relating to the inspection of hotels, inns and lodging houses as the same appears in chapter one hundred sixty-eight (168) of the acts of the Thirty-third General Assembly.

Also:

Senate File No. 564, a bill for an act to provide for the general levy for state purposes for the years nineteen hundred and thirteen (1913) and nineteen hundred and fourteen (1914).

Also:

Senate File No. 557, a bill for an act making an emergency appropriation for the Iowa state college of agriculture and mechanic arts.

Also:

Senate File No. 555, a bill for an act amending chapter two hundred one (201) of the laws of the Thirty-fourth General Assembly, relating to plans and specifications and estimates of cost of buildings under the control of the board of education.

Also:

Senate File No. 360, a bill for an act to provide for the improvement of the water and harbor fronts of incorporated or chartered cities and towns situated on navigable waterways within or bordering on the state

of Iowa; for the acquirement, construction, maintenance and operation of public docks, and for the acquirement by condemnation or otherwise of lands or rights or interest therein for same; to create a department to be administered by a board to carry on such work and to regulate and control the construction, maintenance and operation of belt railways, wharves, docks, slips, quay walls, piers, basins, other water front lands or rights or interests therein in said cities and towns; to authorize the issuance and sale of bonds and to levy a tax for carrying out the above purposes.

Also:

Senate File No. 116, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for the feeble minded children, sanitorium for the treatment of tuberculosis, industrial schools, state hospitals, penitentiary and reformatory.

Also:

Senate File No. 560, a bill for an act relating to the injuries sustained by employees which occur prior to the taking effect of an act enacted by the Thirty-fifth General Assembly relating to employers' liability for injuries sustained by employees while in line of duty.

Also:

Senate File No. 556, a bill for an act to amend an act passed by the Thirty-fifth General Assembly and approved on the 3d day of April, 1913, and entitled "a bill for an act to create a state highway commission, and to provide for the appointment, term of office, compensation, powers and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employees with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section twenty-six hundred seventy-four-f (2674-f) Supplement to the Code, 1907, relating to highway commission and to amend section three (3), of chapter twenty-four (24), of the acts of the Thirty-fourth General Assembly, relating to county road building fund and to repeal all acts and parts of acts in conflict with this act."

Also:

Senate File No. 477, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contests in the nineteenth (19) senatorial district of Iowa and in the forty-sixth (46) senatorial district of Iowa, and to pay sundry persons for services, mileage and other expenses incurred in connection with said election contests.

Also:

Senate File No. 558, a bill for an act to provide for the transfer of judges from one judicial district to another in certain cases.

Also:

Senate File No. 427, a bill for an act to amend section seven hundred fifty-one (751) of the Code, relating to streets and public grounds.

Senate File No. 513, a bill for an act to amend the law as it appears in section two thousand five hundred seventy-eight-b (2578-b) of the Supplement to the Code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses.

Also:

Senate File No. 136, a bill for an act to provide for the destruction of noxious weeds and other weeds upon lands, highways and other places; prescribing penalties for the violation thereof; assessing the costs and expenses of the destruction of the same to the lands and owners thereof; and providing funds with which to destroy the same, and repealing all of chapter ninety-six (96) of the acts of the Thirty-third General Assembly relating to weeds upon lands and highways.

Also:

Senate File No. 1, a bill for an act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Also:

Senate File No. 562, a bill for an act to make appropriation for the payment of state and judicial officers and other expenses.

JOHN H. TAYLOR,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Taylor, from the joint committee on Enrolled Bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate Joint Resolution No. 15, fixing the number and compensation of employes in the department of state at the seat of government.

Also:

Senate File No. 451, a bill for an act granting additional powers to the executive council.

Also:

Senate File No. 452, a bill for an act to amend the law relating to the compensation of members of the general assembly as the same appears in section twelve (12) of the Code, as amended by chapter one (1) of the acts of the Thirty-fourth General Assembly.

Also:

Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa State College of Agriculture and Mechanic Arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151), of the acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) of the acts of the Thirty-fourth General Assembly.

Also:

Senate File No. 522, a bill for an act to establish an insurance department providing for an insurance commissioner, defining his duties, fixing his compensation and determining his term of office.

Also:

Senate File No. 558, a bill for an act to provide for the transfer of judges from one judicial district to another in certain cases.

Also:

Senate File No. 427, a bill for an act to amend section seven hundred fifty-one (751) of the Code, relating to streets and public grounds.

Also:

Senate File No. 513, a bill for an act to amend the law as it appears in section two thousand five hundred seventy-eight-b (2578-b) of the Supplement to the Code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses.

Also:

Senate File No. 560, a bill for an act relating to the injuries sustained by employees which occur prior to the taking effect of an act enacted by the Thirty-fifth General Assembly relating to employers' liability for injuries sustained by employees while in line of duty.

Also:

Senate File No. 556, a bill for an act to amend an act passed by the Thirty-fifth General Assembly and approved on the 3d day of April, 1913, and entitled "a bill for an act to create a state highway commission, and

to provide for the appointment, term of office, compensation, powers and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employees with reference thereto, to fix the rights of parties contracting with reference to suck work, to repeal section twenty-six hundred seventy-four-f (2674-f) Supplement to the Code, 1907, relating to highway commission and to amend section three (3), of chapter twenty-four (24), of the acts of the Thirty-fourth General Assembly, relating to county road building fund and to repeal all acts and parts of acts in conflict with this act."

Also:

Senate File No. 477, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contests in the nineteenth (19) senatorial district of Iowa and in the forty-sixth (46) senatorial district of Iowa, and to pay sundry persons for services, mileage and other expenses incurred in connection with said election contests.

Also:

Senate File No. 136, a bill for an act to provide for the destruction of noxious weeds and other weeds upon lands, highways and other places; prescribing penalties for the violation thereof; assessing the costs and expenses of the destruction of the same to the land and owners thereof; and providing funds with which to destroy the same, and repealing all of chapter ninety-six (96) of the acts of the Thirty-third General Assembly relating to weeds upon lands and highways.

Also:

Senate File No. 1, a bill for an act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Also:

Senate File No. 562, a bill for an act to make appropriation for the payment of state and judicial officers, state and other expenses.

Also:

House File No. 407, a bill for an act repealing section one hundred and seventy-d (170-d) of the Supplement to the Code, 1907, and to enact a substitute in lieu thereof requiring all boards, commissions, departments, and officers of state to turn into the state treasury all fees collected.

Also:

Senate File No. 564, a bill for an act to provide for the general levy for state purposes for the years nineteen hundred and thirteen (1913) and nineteen hundred and fourteen (1914).

Also:

Senate File No. 557, a bill for an act making an emergency appropriation for the Iowa state college of agriculture and mechanic arts.

Also:

Senate File No. 555, a bill for an act amending chapter two hundred one (201) of the laws of the Thirty-fourth General Assembly, relating to plans and specifications and estimates of cost of buildings under the control of the board of education.

Also:

Senate File No. 360, a bill for an act to provide for the improvement of the water and harbor fronts of incorporated or chartered cities and towns situated on navigable waterways within or bordering on the state of Iowa; for the acquirement, construction, maintenance and operation of public docks, and for the acquirement by condemnation or otherwise of lands or rights or interest therein for same; to create a department to be administered by a board to carry on such work and to regulate and control the construction, maintenance and operation of belt railways, wharves, docks, slips, quay walls, piers, basins, other water front lands or rights or interests therein in said cities and towns; to authorize the issuance and sale of bonds and to levy a tax for carrying out the above purposes.

Also:

Senate File No. 116, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for the feeble minded children, sanitorium for the treatment of tuberculosis, industrial schools, state hospitals, penitetiary and reformatory.

Also:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House Joint Resolution No. 16, approving estimates of cost, plans and specifications for buildings and improvements at the soldiers' orphans' home, school for the deaf, institute for feeble minded children, state sanitorium for the treatment of tuberculosis, industrial school for boys, Mount Pleasant state hospital for insane, Independence state hospital for insane, Clarinda state hospital for insane, Cherokee state hospital for insane, state hospital for inebriates, state penitentiary and state reformatory.

Also:

House File No. 358, a bill for an act to repeal section four hundred ninety-five (495) of the supplement to the code, 1907, and to enact a substitute therefor, relating to the duties and compensation of county recorder.

Also:

House File No. 207, a bill for an act making appropriations for the state university, the Iowa state teachers' college, the college for the blind, the Iowa state college of agriculture and mechanic arts.

Also:

House File No. 700, a bill for an act for the levy of a special tax upon the taxable property of the state for the purpose of creating a fund for the further equipment and support of extension work, experimentation, collegiate and non-collegiate courses of study at the Iowa State College of Agriculture and Mechanic Arts.

Also:

House File No. 326, a bill for an act making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission.

Also:

House File No. 698, a bill for an act to amend the law as the same appears in chapter two (2), acts of the Thirty-fourth General Assembly authorizing the executive council to pay court costs taxed to or other expenses incurred by the state in any suit or proceeding instituted by or against any of the state departments.

Also:

House File No. 693, a bill for an act to confirm the title of Jacob Arnold to the south half of the southwest quarter of section No. 20, township No. 85, north, range No. 30, west 5th., P. M., Greene county, Iowa, and authorizing the issuance of a patent therefor.

Also:

House File No. 412, a bill for an act to amend sections nine (9) and thirteen (13) of chapter one hundred eighteen (118) of the acts of the Thirty-third General Assembly in relation to actions involving drainage districts.

Also:

House File No. 641, a bill for an act to repeal the law as it appears in chapter one hundred twenty-nine (129) of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor relating to the prevention of the procreation of criminals, rapists, idiots, feeble-minded, imbeciles, lunatics, drunkards, drug fiends, epileptics, syphilitics, moral and sexual perverts, and diseased and degenerate persons.

Also:

House File No. 108, a bill for an act to prohibit the sale, keeping for sale, loaning, giving away or carrying of certain dangerous weapons, to prevent the carrying of concealed weapons, except in specified cases when a permit is issued therefor; to provide punishment for the violation of the provisions hereof.

Also:

House File No. 441, a bill for an act to regulate the sale of calicum carbide or so-called carbide and prescribe the manner in which the same shall be packed and labeled.

Also:

House File No. 49, a bill for an act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the state dairy and food commissioner in relation thereto.

Also:

Senate File No. 407, a bill for an act to amend the law relating to the inspection of hotels, inns and lodging houses as the same appears in chapter one hundred sixty-eight (168) of the acts of the Thirty-third General Assembly.

Also:

JOHN H. TAYLOR,
Crairman Senate Committee.
W. W. ANDERSON,
Chairman House Committee.

Adopted.

SENATE FILES SIGNED.

President of the Senate announced that as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 513, 427, 556, 116, 560, 558, 477, 452, 451, 522, 507, 360, 136, 564, 407, 557, 555, 562, 1, and Senate Joint Resolution No. 15.

HOUSE FILES SIGNED.

President of the Senate announced that as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 326, 698, 700, 207, 358, and House Joint Resolution No. 16.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Taylor, 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. 560, a bill for an act relating to the injuries sustained by employees which occur prior to the taking effect of an act enacted by the Thirty-fifth General Assembly relating to employers' liability for injuries sustained by employees while in line of duty.

Also:

Senate File No. 556, a bill for an act to amend an act passed by the Thirty-fifth General Assembly and approved on the 3d day of April, 1913,

and entitled "a bill for an act to create a state highway commission, and to provide for the appointment, term of office, compensation, powers and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employees with reference thereto, to fix the rights of parties contracting with reference to suck work, to repeal section twenty-six hundred seventy-four-f (2674-f) Supplement to the Code, 1907, relating to highway commission and to amend section three (3), of chapter twenty-four (24), of the acts of the Thirty-fourth General Assembly, relating to county road building fund and to repeal all acts and parts of acts in conflict with this act."

Also:

Senate File No. 477, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contests in the nineteenth (19) senatorial district of Iowa and in the forty-sixth (46) senatorial district of Iowa, and to pay sundry persons for services, mileage and other expenses incurred in connection with said election contests.

Also:

Senate Joint Resolution No. 15, joint resolution fixing the number and compensation of employes in the department of state at the seat of government.

Also:

Senate File No. 451, a bill for an act granting additional powers to the executive council.

Also:

Senate File No. 452, a bill for an act to amend the law relating to the compensation of members of the general assembly as the same appears in section twelve (12) of the Code, as amended by chapter one (1) of the acts of the Thirty-fourth General Assembly.

Also:

Senate File No. 507, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum toxines, vaccines and biological products at the Iowa State College of Agriculture and Mechanic Arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151), of the acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) of the acts of the Thirty-fourth General Assembly.

Also:

Senate File No. 522, a bill for an act to establish an insurance department providing for an insurance commissioner, defining his duties, fixing his compensation and determining his term of office.

Also:

Senate File No. 407, a bill for an act to amend the law relating to the inspection of hotels, inns and lodging houses as the same appears in chapter one hundred sixty-eight (168) of the acts of the Thirty-third General Assembly.

Also:

Senate File No. 564, a bill for an act to provide for the general levy for state purposes for the years nineteen hundred and thirteen (1913) and nineteen hundred and fourteen (1914).

Also:

Senate File No. 557, a bill for an act making an emergency appropriation for the Iowa state college of agriculture and mechanic arts.

Also:

Senate File No. 555, a bill for an act amending chapter two hundred one (201) of the laws of the Thirty-fourth General Assembly, relating to plans and specifications and estimates of cost of buildings under the control of the board of education.

Also:

Senate File No. 360, a bill for an act to provide for the improvement of the water and harbor fronts of incorporated or chartered cities and towns situated on navigable waterways within or bordering on the state of Iowa; for the acquirement, construction, maintenance and operation of public docks, and for the acquirement by condemnation or otherwise of lands or rights or interest therein for same; to create a department to be administered by a board to carry on such work and to regulate and control the construction, maintenance and operation of belt railways, wharves, docks, slips, quay walls, piers, basins, other water front lands or rights or interests therein in said cities and towns; to authorize the issuance and sale of bonds and to levy a tax for carrying out the above purposes.

Also:

Senate File No. 116, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for the feeble minded children, sanitorium for the treatment of tuberculosis, industrial schools, state hospitals, penitetiary and reformatory.

Also:

Senate File No. 558, a bill for an act to provide for the transfer of judges from one judicial district to another in certain cases.

Senate File No. 427, a bill for an act to amend section seven hundred fifty-one (751) of the Code, relating to streets and public grounds.

Also:

Senate File No. 513, a bill for an act to amend the law as it appears in section two thousand five hundred seventy-eight-b (2578-b) of the Supplement to the Code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses.

Also:

Senate File No. 136, a bill for an act to provide for the destruction of noxious weeds and other weeds upon lands, highways and other places; prescribing penalties for the violation thereof; assessing the costs and expenses of the destruction of the same to the lands and owners thereof; and providing funds with which to destroy the same, and repealing all of chapter ninety-six (96) of the acts of the Thirty-third General Assembly relating to weeds upon lands and highways.

Also:

Senate File No. 1; a bill for an act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Also:

Senate File No. 562, a bill for an act to make appropriation for the payment of state and judicial officers and other expenses.

Also:

Senate File No. 446, a bill for an act to amend section four (4) of chapter sixty-three (63) acts of the Thirty-fourth General Assembly, relating to assessment of stocks of national, state and savings banks.

Also:

Senate File No. 483, a bill for an act to confer certain powers on cities organized under chapter forty-eight (48) of the acts of the Thirty-second general Assembly of Iowa, as the same appears in chapter fourteen-c (14-c) of title five of the Supplement to the Code, 1907, providing for the levy and collection of a special tax for the purchase, equipment, construction and maintenance of a garbage disposal plant.

Also:

Senate Joint Resolution No. 16, a bill for an act authorizing and directing the secretary of state to publish, in pamphlet form, Senate File No. 3, known as the workmen's compensation act.

Also:

Substitute for Senate File No. 252, a bill for an act to amend the law as it appears in sections eighty-six (86), ninety-eight (98), one hundred fifteen (115) and two hundred eleven (211) of the Code, and section two hundred five (205) Supplement to the Code, 1907, relating to the compensation of the secretary of state, the auditor of state, treasurer of state, the attorney general, and the clerk of the supreme court.

Also:

Senate File No. 348, a bill for an act to repeal section two hundred twelve (212) of the Supplement to the Code, 1907, relating to the appointment of an assistant attorney general and to his salary, and to enact a substitute therefor.

Also:

Senate File No. 82, a bill for an act to provide additional chairs in the college of homeopathic medicine of the state university of Iowa, additional to chapter 168 of the acts of the Sixteenth General Assembly.

Also:

Senate File No. 559, a bill for an act for the purpose of having a patent issued in the name of Charles Martin for a certain tract of land.

Also:

Senate Joint Resolution No. 14, approving estimates of cost, plans and specifications for buildings at the state university, the state college of agriculture and mechanic arts, and the state teachers' college.. Approving estimates of cost, plans and specifications for the erection of new buildings at the state university, at the state college of agriculture and mechanic arts, and at the state teachers' college. Approving estimates of cost, plans and specifications for the erection of a gymnasium, reconstruction of roof of medical laboratory, changes in chemical laboratory, warehouse, tunnel to currier hall, kitchen for hospital, at the state university; a chemistry building, agricultural laboratories, transportation laboratory, animal husbandry, laboratories, at the state college of agriculture and mechanic arts; a dormitory for women, and a manual training building at the state teachers' college.

Also:

Senate File No. 488, a bill for an act to amend the law as it appears in section ten hundred ninety-three (1093) Supplement to the Code, 1907, relating to election boards.

Also:

Senate File No. 289, a bill for an act to amend the law as it appears in section twenty-four hundred seventy-two (2472) of the Supplement to the Code, 1907, and section twenty-four hundred seventy-four (2474) of the Code, and to repeal section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, and chapter one hundred forty-four

(144) of the acts of the Thirty-third (33) General Assembly amendatory to section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, and to enact a substitute therefor, all relating to bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof.

Also:

Senate File No. 327, a bill for an act to amend section two thousand seventy-seven (2077) of the Supplement to the Code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state, at which fairs or expositions are or may hereafter be held.

Also:

Senate File No. 383, a bill for an act to amend the law as it appears in chapter eleven-c (11-c) of title thirteen (XIII) of the Supplement to the Code, 1907, relating to the state sanitorium for the treatment of tuberculosis, to provide for the care of advanced cases in said sanitorium and making an appropriation therefor, and to repeal the law as it appears in section twenty-seven hundred twenty-seven-a86 (2727-a86), of the Supplement to the Code, 1907, and to enact a substitute therefor requiring counties to pay for the care of patients in the sanitorium and making such patients and persons legally bound for their support liable to couties for money so paid.

JOHN H. TAYLOR,
Chairman.

Adopted.

MOTIONS.

Senator Savage offered the following motion and moved its adoption:

I move that a committee be appointed to notify the House that the Senate is ready to adjourn sine die.

Adopted.

President appointed as such committee, Senators Savage, Quigley and Crow.

REPORT OF SPECIAL COMMITTEE.

Senator Savage from the Special Committee to notify the House that the Senate was now ready to adjourn reported that they had performed that duty.

Report received and committee discharged.

A committee from the House appeared and announced that the House was ready to adjourn sine die.

The hour of 12 o'clock noon having arrived the President declared the Senate of the Thirty-fifth General Assembly adjourned sine die.

MEMORIAL SESSION

SENATE THIRTY-FIFTH GENERAL ASSEMBLY

APRIL 10, 1913.

IN MEMORIAM.

Julian Phelps	April	4,	1838-	Feb. 25,	1913
Samuel Houston Harper	April	23,	1843-	Dec. 18,	1911
Elbert Hamilton Hubbard	Aug.	19,	1849-	June 3,	1912
John Martin Brayton	Sept.	15,	1831-	Sept. 18,	1911
Charles Gates	April	2,	1856-	Jan. 30,	1913
Christian Hedges	May	1,	1830-	Feb. 26,	1913
Alvin M. Whaley	May	14,	1838-		
Joseph H. Merrill	Sept.	27,	1827-		
Delos Arnold	July	21,	1830-	Aug. 31,	1909
B. B. Richards	Aug.	30,	1823-	Mar. 16,	1912
Liberty Eaton Fellows	Aug.	22,	1834-	July 17,	1912
Addison Oliver	July	21,	1833-	July 7,	1912
John Ryder				-Aug. 13,	1911
Charles C. Chubb	Oct.	2,	1840-	May 21,	1911
Wickliffe A. Cotton	Feb.	2,	1843-	Mar. 19,	1912
Orlando H. Manning	May	14,	1848-	Sept. 19,	1909

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 10, 1913.

Senate met pursuant to adjournment at 7:30 p. m., President Harding presiding.

REPORTS OF SPECIAL COMMITTEES.

Senator Smith, from a special committee, submitted the following report and moved its adoption:

JULIAN PHELPS.

MR. PRESIDENT—Your committee appointed to draft resolutions commemorative of the life, chapacter and services of ex-Senator Julian Phelps, beg leave to submit the following report:

Julian Phelps was born in Chittenden County, Vermont, April 4, 1838, and was a son of Wm. E. and Arsula Phelps, both being natives of the Green Mountain state and descendants of families who had lived in that section since colonial times.

He grew to manhood in his native state and was there educated. In 1860 he entered the State University of Vermont. In the spring of 1864, being then in his senior year, he enlisted in the 11th Vermont Infantry. The custom of the university, as many other educational institutions, permitted their senior students to enter the war and graduate with their class. Prior to the college commencement Mr. Phelps was wounded in the battle of Cold Harbor and was sent to the hospital. He had sufficiently recovered in June to return to college and was present at the graduation and delivered his oration in a soldier's uniform, being supported by a cane. After graduating he returned to the war and served to its close. He was in the battles of Cold Harbor, Spottsylvania, Petersburg and many other battles under Grant. In 1865 he entered Albany, New York, Law School, receiving his degree from that institution in 1867. In the fall of that year he came to Lewis, Iowa, then the county seat of Cass County, and there formed a partnership for the practice of law with the late Judge Henry Temple under the firm name of Temple & Phelps. Later Frank O. Temple, a son of the senior member, was taken into the business and the name of the firm was Temple, Phelps & Temple. This partnership lasted until after the death of Judge Temple, and thereafter the name of the firm was Phelps & Temple until the death of the

junior member. When the county seat was moved to Atlantic Mr. Phelps moved to that town and there continued in the practice of law. In 1893 he was elected to the State Senate from the Cass-Shelby district and served his state as Senator in the Twenty-fifth, Twenty-sixth and Twenty-sixth Extra General Assemblies. In 1897 at the close of his Senatorial term President McKinley appointed him consul to Crefeld, Germany, which position was ably filled by him for four years. Some time after his return from abroad he located at Hollywood, California, where he continued to live until his death, February 25, 1913.

In 1869 he was married to Miss Mary A. Case, who died the following year, leaving an infant son, who soon followed her to the beyond. Some years after he was married to Percis M. Case, a sister of his first wife. His wife and two children, Mrs. Anna Temple and Will P. Phelps, are left surviving him to mourn his loss.

The home of Mr. and Mrs. Phelps—The Oakes—was situated in a natural grove and adjoined the city of Atlantic. The door of their home was ever open to friends and neighbors, who recall their hospitality and kindness with pleasant memories.

Be it Resolved, That the private and public life of Julian Phelps was an open book and bears testimony to a fine, patriotic, noble and conscientious life, whose every act was for the uplift and betterment of humanity.

That as senator and consul he gave to the state and nation conscientious and faithful service.

That this memorial be entered upon the Senate Journal and an engrossed copy thereof, duly authenticated, be sent to the widow of the deceased.

THOS. H. SMITH,
CLEM F. KIMBALL,
JOHN L. WILSON,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator Smith, in moving the adoption of the report, spoke as follows:

MR. PRESIDENT—In moving the adoption of these resolutions, or sentiments, I wish to say that to fully appreciate the life and character of this man you should have known him in his private life and in his home. His personality and nature were such that he would not attract special attention in the state or receive perhaps great notice throughout the country, but to those who knew him intimately, who came in contact with him in his every day life and especially in his home, all speak of the strong character and hospitality of this man. It has been said that man is more than a dual existence. He is what the public knows him to be, what his neighbors know him to be, what his wife and family know him to be, and

what he himself knows himself to be, but it can be said of ex-Senator Julian Phelps that what he himself knew himself to be, his wife, family, neighbors and the public knew him to be, because he was true—he was what he was. I take pleasure in moving the adoption of this memorial or sentiment.

Senator Webber, from a special committee, submitted the following report and moved its adoption:

SAMUEL HOUSTON HARPER.

MR. PRESIDENT—Your committee appointed to prepare and submit resolutions in memory of Samuel Houston Harper, of Ottumwa, Wapello county, Iowa, beg leave to submit the following:

Senator Samuel Houston Harper, whose life work and character we commemorate tonight, was born near Zanesville, Ohio, April 23, 1843, came to Ottumwa in 1853, where he resided till the time of his death, December 18, 1911. He was the type of our best citizenship, successful in business, and every undertaking of life. In home life he was the ideal husband and father, in civic affairs he was active, giving his time and money and lending the weight of his influence to every movement for the moral advancement of the community.

When but a boy of nineteen years he was among the first to answer the call of his country to service, enlisting as a private to serve in the bitter struggle of the civil war. When he closed his three years and seven months of service he had attained the rank of captain.

He was a man of peace, and when at the close of the civil war he returned to Iowa it was to embark in the hardware business, in which he was successful to a degree that when his final summons came he was at the head of one of the largest wholesale hardware establishments in the middle west.

He was elected to the State Senate in 1901, and served his district with honor and distinction during the Twenty-ninth, Thirtieth and Thirty-first General Assemblies. He was department commander of the G. A. R. in 1905, commander of the Loyal Legion in 1906, and at the time of his death he was mayor of his home city of Ottumwa.

In the passing of Senator Harper every worthy interest of the state sustained a loss. As a merchant he stood for everything honorable and progressive; as a citizen he stood for righteousness in all the word implies; as mayor of his city he was fearless in resisting wrong in the community; as a Christian he never shrank from meeting the obligations of that life.

Patriotic to the flag, loyal to the state, honest in all his dealings, a loving husband and father—these were the characteristics of Senator Samuel Houston Harper, whom we mourn tonight, therefore be it

Resolved, That the Senate join with his neighbors and friends in their sorrow, and hereby extend to his family its sincere sympathy in their bereavement. Be it further

Resolved, That a copy of this resolution be spread upon the records of the Senate and that a properly engrossed copy, signed by the President and Secretary, be sent to the family.

JOHN F. WEBBER,
FREDERIC LARRABEE,
JOHN L. WILSON,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator Webber, in moving the adoption of the report, spoke as follows:

MR. PRESIDENT—In moving the adoption of these resolutions it is but fitting that I should state that it was my pleasure to know Senator Harper intimately practically all of the time that I have been a resident of the state of Iowa, or at least up to the time of his death.

During the first two or three years that I resided in Ottumwa he was one of my nearest neighbors. Senator Harper was a man successful in business, was a man that always stood for the best in the community, and was such a man that the city of Ottumwa and the state of Iowa in his passing sustained a loss.

Mr. President, I take pleasure in offering these resolutions.

Senator Farr, from a special committee, submitted the following report and moved its adoption:

ELBERT HAMILTON HUBBARD.

MR. PRESIDENT—Your committee appointed to prepare resolutions commemorating the life, character and public service of the Hon. Elbert Hamilton Hubbard, of Woodbury county, late a member of the Senate, beg leave to submit the following report:

Elbert Hamilton Hubbard was born in Rushville, Indiana, August 19, 1849; he died at Sioux City, Iowa, June 3, 1912. He was a son of Hon. Asabel W. Hubbard, a member of congress from Sioux City, then in the Sixth Iowa District, from 1863 to 1869.

Mr. Hubbard was privately prepared and educated at Yale, graduating in 1872. He soon thereafter entered the law office of Hon. Constant R. Marks as a student, was admitted to the bar and became associated with his preceptor in 1874, withdrawing to practice alone. In 1878 the firm of Hubbard, Spalding & Taylor was established, in which he was the leading member until his joining with Craig L. Wright in 1890, under the style of Wright & Hubbard. To this firm

Mr. A. F. Call was admitted in 1896 and the style changed to Wright, Call & Hubbard, remaining so until Mr. Hubbard withdrew in 1902 to enter the firm of Hubbard & Burgess. In public service Mr. Hubbard first entered the Iowa Legislature as a representative in the Nineteenth General Assembly in 1882. He was elected to the Iowa Senate in 1899, serving through the Twenty-eighth and Twenty-ninth General Assemblies. He was elected to Congress four times, serving through the Fifty-ninth, Sixtieth, Sixty-first and Sixty-second Congresses with great credit. He expired on the day he received notice of his nomination for the fifth time to the office.

On June 6, 1882, Mr. Hubbard married Miss Eleanor H., daughter of Nathanial R. and Charlotte Kirtland Cobb, to which union were born two sons and two daughters.

Mr. Hubbard's life was an active one. He was a public spirited citizen and his influences were always for the best. Energy, activity and integrity of purpose marked all of the efforts of his life. He was a most genial and kindly man. He loved his friends and did not hate his enemies. He was earnest and uncompromising in his convictions, yet did not antagonize unduly. His mind was clear; his life honorable; his thoughts pure. He held advanced opinions and maintained those opinions with tireless energy. In his services in both branches of the State Legislature and in the National House of Representatives, he was ever willing to work in behalf of his people. His very presence in an assembly brought cheer and good and wholesome thoughts. His life may be found an example which the youth of our state could well seek to emulate.

In the moment of victory, while congratulations were being showered upon him, death overtook him, and without fear, and with a smile, he passed into the great beyond. All honor be to the name of Elbert Hamilton Hubbard. In his death Iowa has lost one of her best citizens—a man beloved by all; and in honor of his memory be it

Resolved, That in his death the state and nation have lost a worthy and upright citizen, an honest and fearless statesman and an honorable man, and we hereby extend to the bereaved family and friends our sincerest sympathy; and be it further

Resolved, That a copy of these resolutions be printed in the Journal of the Senate and the Secretary of State be directed to forward an engrossed copy to the family of the deceased.

E. P. FARR,
N. BALKEMA,
L. E. FRANCIS,
Committee.

These resolutions were adopted unanimously by a rising vote.

Senator Farr, in moving the adoption of the report, spoke as follows:

MR. PRESIDENT—In moving the adoption of these resolutions it is befitting that I make some few remarks.

It was my good fortune on going to Sioux City some twenty-five years ago to become acquainted with Mr. Hubbard. He was almost the first man I met. He was a man of the same profession. It was my good fortune to become intimately acquainted with him in his family affairs, to visit at his home during the earlier years of our acquaintance. During all of that time I can say that on no occasion or under no circumstance did I ever know anything of him except that he was a man of the most straightforward character, a man of sterling habits, kindly disposition, but of extreme independence and energy of mind which always carried him forward to the end he sought.

He represented his county in this Assembly for two terms and was later elected to Congress, where he served for four terms, and on the day of his death the primary which nominated him for the fifth term had just ended. The news of his nomination on the ticket on which he ran had just begun to come in when he was suddenly taken sick. I was with him a few hours before his death, and as stated in this resolution, he passed to the great beyond with a smile upon his countenance. He was a man of the best qualities, his influence was of the best, and, Mr. President, I take great pleasure in seconding the adoption of these resolutions.

Senator Perkins, from a special committee, submitted the following report and moved its adoption:

JOHN MARTIN BRAYTON.

MR. PRESIDENT—Your committee, appointed to prepare resolutions commemorating the life, character and public service of the Hon. John Martin Brayton, of Delaware County, late a member of the Senate, beg leave to submit the following report:

John Martin Brayton was born at Newport, N. Y., September 15, 1831, and died at Delhi, Iowa, September 18, 1911. He was the son of Smith Brayton, a farmer and surveyor. He was educated at Whitestown Academy, Whitestown, N. Y., and at Hamilton College, Clinton, N. Y., from which institution he received the degree of A. M. some time after graduation, with the degree of LL. B. in 1853. He removed to Delhi, Iowa, in the fall of 1854, and became a member of the law firm of House, Brayton & Watson, which position he occupied for ten years, and until Major A. E. House entered the Union army. He was elected as a Republican to the Iowa Senate in 1863, serving two terms in the Tenth and Eleventh General Assemblies, and was a Judge of the Ninth Judicial District from January 1, 1871, to July, 1872, when he resigned as Judge. He resumed the practice of

law in his home town, and was engaged in extensive railroad litigation for a number of years, gaining a statewide reputation. The last thirty years of his life was spent largely in farming operations, developing the many hundreds of acres of which he was the owner.

He was a member of the American Academy of Political and Social Science and was a man of liberal culture and wide acquaintance with literature and art. On May 4th, 1859, at Delhi, Iowa, he married Miss Helen Martin, who died in April, 1911, and left one daughter, Miss Emma Brayton, who is a graduate of Lenox College, Hopkinton, Iowa, and of the Law School of the State University of Iowa.

Judge Brayton was a lawyer with an active, keen mind, who readily analyzed the legal case presented to him for solution and arrived at the fundamental principles involved in the cause. He was not a case lawyer, but a lawyer who sought legal principles, and in the early days in his practice in Iowa developed and settled in the Supreme Court of Iowa many of the fundamental cases involved in the practice of law in a new state. In the death of Judge Brayton, Iowa has lost one of her best citizens, a man beloved by all who knew him, and in honor of his memory, be it

Resolved, That in his death the state and county in which he resided has lost a worthy and upright citizen, an honest Judge, an honorable man; and we hereby extend to the bereaved daughter and friends our sincere sympathy; and be it further

Resolved, That a copy of these resolutions be printed in the Journal of the Senate, and that the Secretary of the Senate be directed to forward an engrossed copy to the daughter of the deceased.

ELI C. PERKINS,
FREDERIC LARRABEE,
E. P. FARR,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator Perkins, in moving the adoption of the report, spoke as follows:

MR. PRESIDENT—In moving the adoption of these resolutions it is fitting that I should call your attention for a moment to the life and services of J. M. Brayton, or better known in northeastern Iowa as Judge Brayton.

Judge Brayton came in an early day to Iowa, and if you will take the reports of the Supreme Court of the state of Iowa from 1854 to 1872 you will find in the cases that are there decided there are many of the causes for which he worked and labored. Mr. Brayton was a man who from his earliest days was a student. He was a man who loved his books. And throughout the many years of his life spent in Iowa the days were spent in his office. The last days of his life were largely spent in that office, although from there he was directing his farming interests.

He was a man who reasoned from principles. In trying cases he did not rely so much on what other courts had decided as he did from the principles that seemed to him to be just and right, and with the fundamental things that were involved in the cause that he had in hand. This perhaps came largely from the fact that when he first came to Iowa the laws were then indefinite, vague and few compared to what they are now, and then there were but one or two volumes of decisions to which he could turn. So he was one of the first pioneers of Iowa in developing the system of jurisprudence that we have here now as developed by the courts of this state.

As I said, Mr. Brayton lived with his books. With those books he spent all of his life until past his eightieth year, and on his eightieth birthday was able to go to the postoffice, get his mail and return from there, for the purpose of knowing what was going on. He was a man who kept posted on the events of the day, was up on the condition of his country, was one who took part in the affairs of the country in the stirring days of the 60's. In those times were the days when he came to the Senate of Iowa, and was one of those who represented his county during the days of the 60's.

Mr. President, I move the adoption of the resolution.

Senator Boe, from a special committee, submitted the following report and moved its adoption:

CHARLES GATES.

MR. PRESIDENT—Your committee, appointed to draft resolutions commemorative of the life, character and services of Senator Charles Gates, begs leave to submit the following report:

Charles Gates was born April 2, 1856, at Marble Rock, Floyd County, Iowa. He was of German-Irish descent. He attended the rural school and later graduated from the Marble Rock high school.

On June 8, 1883, he was married to Miss Carrie E. Stickney. They had no children of their own, but adopted a boy, who is now living, John F. Gates.

He was a farmer for some years, and later went into the implement and banking business, in which business he continued until his death on January 30, 1913.

In politics he was a Republican, and always took an active part in the affairs of his party. He was mayor for three years, and served as alderman for one term and a portion of another.

In 1908 he was elected State Senator from the Thirty-ninth District, composed of Bremer and Butler Counties, and was re-elected in 1912.

Mr. Gates had been troubled the last year somewhat with sickness, and at the beginning of the session of the Thirty-fifth General Assembly he did not feel very strong, but was able to take up his work. He was a man who complained very little; a man who tried in every way to do his work in a conscientious manner, and when death overtook him it was in the midst of his work. During the time that he served the state, as in all his work, he gave the best that was in him.

Resolved, That in the death of Charles Gates the state has lost a worthy citizen, a loved and honored member of the Senate. Be it further

Resolved, That these resolutions be printed in the Journal, and an engrossed copy, signed by the President and Secretary, be sent to the family of the deceased.

F. P. HAGEMANN,
S. W. BOE,
JOHN G. LEGEL,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator Boe, in moving the adoption of the report, spoke as follows:

It was my pleasure to become acquainted with Senator Gates four years ago when I served in the House. I had not known him before that time, but I believe that what I learned to know of him during those four years has been true of him his whole life. He was not one of the men to push himself forward. He was rather a modest man, of a retiring nature, and you sometimes really had to make an effort to become acquainted with him. I believe every one who knew Senator Gates appreciated his character. His quiet, unassuming manner was pleasing. I felt that he was one of that great body of men we have in this country who do not say much, who do not always fill the public eye, but who think sanely and soundly on all subjects, who lend their influence for the steady movement forward of the welfare of the people. We all felt this winter when he passed away so suddenly that we had lost a friend, and I felt when I went to his home, learned to know of his sickness and of the sickness of his wife, that there was a man who bore his burdens uncomplainingly and tried to do all his work in spite of the burdens thrust upon him. I feel that in that village he had written his name in the history of his community as he has written it in the history of his state. I therefore feel it an honor to move the adoption of these resolutions.

Senator Smith spoke as follows:

MR. PRESIDENT—As a member of the Thirty-fourth General Assembly Senator Gates occupied the seat just across the aisle from me, where he sat during the time he was here in this session. The remarks just made by the Senator from Winnebago touching on the

life of this man, his character and disposition, I feel meets with a response from every Senator who had the pleasure of serving with him during the Thirty-fourth General Assembly. Senator Gates was not a man that put himself forward, as has been said. I do not recall that at any time he made any speeches in this Senate, but he was ever at his post of duty, and when the roll was called Senator Gates answered aye or no as in his judgment was right. And every man that heard that response knew that it had come from the bottom of his heart, and was what he really believed, and if a Senator had voted differently he found himself reflecting if after all he had not better cast his vote as Senator Gates cast his, because we knew it was an honest vote and was cast after mature deliberation.

Lieutenant-Governor Harding spoke as follows:

It was the pleasure of the chair to know Senator Gates during the Thirty-third and Thirty-fourth General Assemblies. It was a pleasure to meet him as a legislator. It was a pleasure to meet him in a social way. I found that Senator Gates was a true man and a gentleman. He was always ready to listen, always willing to give advice when it was asked, and always anxious to pass the time of day. He always had a kindly word. He was always good natured. He was scattering sunshine and dispelling gloom. Senator Gates represented a type of American citizenship that can well be emulated. It was a pleasure to know him and to love him.

Senator Thomas spoke as follows:

I feel compelled to add just a word for Senator Gates. It was my pleasure to talk to him as late as 10 o'clock in the evening prior to his death. As I look back to it, I cannot help thinking of the saying that in life we are in the midst of death. During that evening he had talked of his business. Said in a few days he expected to sell and take life easy. Our business was somewhat allied in banking and hardware, which he handled to a certain extent. In that evening I came in a brief moment to see that crying hope of his life—to have his wife regain her health. I am glad to add this little flower of credit to his life.

Senator Chase spoke as follows:

I wish to add my tribute to the memory of Senator Gates. It is said death loves a shining mark. I became well acquainted with Senator Gates two years ago. Came to know him well. I know that a short time before his death he had a sort of premonition of what was about to happen. I talked with him the day before, and I know he felt that there was something hanging over him. In his simple way he seemed to feel that there was something about to happen. He told me about some trouble he had had some years ago and had never fully recovered from, and felt that death might overtake him any time. I was impressed with that conversation in view of what happened afterwards. Senator Gates appealed to me as one of the most modest men I ever

met. There was something about him that a few years of acquaintance developed. It seemed to me that he was a man absolutely honest in every way in life, true and loyal in everything he did. That trait in his character appealed to me from the time I first became acquainted with him all through the associations I had with him. While I cannot say I was particularly intimate with Senator Gates, I talked with him frequently, and I always felt that whatever Senator Gates did was done with singleness of mind and absolute integrity. I do not know that I ever met a man in all my experience that seemed so absolutely without guile as was Senator Gates. He met every question with absolute fairness. He never shirked any duty. He always responded to every call that was made upon him. And, after all, in this brief span of life of ours when we say a man measures up to that sort of thing it is really the highest tribute we can pay him. When we say a man meets squarely and fairly every duty that is laid upon him and responds to it, there cannot be any higher tribute of praise placed upon his bier after he has gone. Senator Gates was loyal to his friends, faithful to his duty. I do not believe there was any obligation he ever failed to comply with. I feel that this Senate in losing Senator Gates lost one of the best men that ever sat in the Senate.

Senator McManus spoke as follows:

It is with the feeling of most sincere and tender emotions that I rise to say a few words of our departed friend. Six years ago I appeared in this Legislature for the first time. With me came Senator Gates. From the first moment we met there arose a feeling of friendship. I found in him a kindred spirit, a man after my own liking. Through all the sessions that passed our intimacy grew, and I believe, Senators, that I knew Senator Gates possibly better than anyone in the House because I liked him and sought his company; was glad to be with him, for there was a sort of sunshine about the man that appealed to me. I cultivated his acquaintance. Listened to him talk of his home life, and all the little things that go to make up a home and a happy one. It was while called to my own home that I there heard of the death of my friend. I want to say, Senators, it was a great shock to me. Just a few days before that sitting on the bench over there Senator Gates was telling me how he was going to sneak away Saturday to go home and visit the good wife who was ill. He told me of the trip he had to make, the trains to take and the changes to make, and the time he would be at home to meet the wife he loved so well, and when I heard of his death, and when the wires flashed the news to me that Senator Gates was not able to make that trip, I thought indeed how short is life, how we calculate to be with those we love, how the summons come to us suddenly. I pictured to myself the sorrow that came to that good wife of his in that far off Iowa town. I want to say, Senators and friends, I have often wondered what recompense there is in one like me to spend three months as lawmaker. I have never been able to quite understand what there is to it, but on the death of a man like Whipple, who sat next to me in my first term and who took me, green as a gosling and knowing

nothing more of legislative matters than a rabbit, to train, and when I think of Whipple, the pleasure I had in meeting him and in his acquaintance, I find, Senators, where the recompense is. I have been amply repaid during the sessions here with acquaintances like Senators Gates and Whipple. And I am forced or compelled to say what I have said in commendation of Senator Gates, and it is a pleasure for me to be able to add my few words to what has been said.

Senator White, from a special committee, submitted the following report and moved its adoption:

CHRISTIAN HEDGES.

MR. PRESIDENT—Your committee, appointed to draft resolutions to commemorate the life and services of ex-Senator Christian Hedges beg leave to submit the following report and resolutions:

Christian Hedges was born in Mansfield, Ohio, May 1, 1830.

He entered the Cincinnati Law School and graduated from that college at the age of seventeen. He was too young to be admitted to the bar for practice, so entered a law office until his age would permit him to admission to the bar.

In 1849 the gold fields of California made such a strong appeal to Mr. Hedges that he went there with many others to seek his fortune in the west. He returned to Iowa county in 1859, where he has resided ever since.

He was married to Miss Ellen Rush at Marengo, Iowa, in September, 1864. To this union eight children were born, three of whom preceded him to the great beyond. Those whom with his wife survive are: Mrs. George E. Swain of North English, Iowa; Mrs. William Hankey of Letts, Iowa; Mrs. E. K. Tyler of Muscatine; Mrs. B. C. Leib of Marengo, Iowa; Bruce E. Hedges of Davenport, Iowa, and seven grandchildren.

Judge Hedges had a long and eventful career. He heard the call of his country in the sixties, and entered the services of the rebellion as captain of the Seventh Volunteer Infantry of Iowa. His ability was soon recognized, and won for him promotion to Military Judge Advocate, which position he held for some time. His great ability was recognized by the people of Iowa after the war was over, and he served his Senatorial District in the Eighteenth General Assembly. During his term as Senator his genius as an interpreter of law and an administrator of justice was soon recognized and won for him the Judgeship of the Circuit Court of the Eighth District. This position he held for twelve years, or until the Circuit Court was abolished by legislative enactment.

He held many positions of private and civic trust, in all of which he acquitted himself with high honor and credit. He was for many

years director and legal adviser of the Marengo Savings Bank of Marengo, Iowa; the Farmers' Savings Bank of Victor, Iowa, and the Farmers' Savings Bank of North English. He held the position of mayor, several terms as councilman and city attorney for the town of Marengo, Iowa. He wielded a wide and beneficial influence upon his community, and was always ready and willing to assist every one by his wise, fearless and ready counsel. Many a struggling young man has helped by his advice, especially those in the legal profession. Many of the prominent lawyers of the state of Iowa have been helped by his great knowledge and experience.

He died at Marengo, Iowa, February 26th, 1913, and was buried on the 28th day of February in the I. O. O. F. cemetery at Marengo, Iowa.

Whereas, Hon Christian Hedges, a member of this body in the Eighteenth General Assembly, has been called from this life; therefore be it

Resolved, That the Senate of the State of Iowa has heard of his death with deep sorrow and regret, and that it recognizes the high character of his service to his state.

Resolved, That the Senate take this occasion to acknowledge its recognition and express its high regard and appreciation of the worth of the character and public services of Christian Hedges, and to extend to his family its sincere sympathy in their great bereavement. Be it further

Resolved, That a copy of these resolutions, engrossed and duly authenticated by the President and Secretary of the Senate, be presented to the family of the deceased.

J. A. WHITE,
G. E. HILSINGER,
G. M. GILLETTE,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator White, in moving the adoption of the report, spoke as follows:

MR. PRESIDENT—I do not remember Mr. Hedges as a Senator, as it was a long time ago, nor was I personally acquainted with him when he was on the bench, but I knew him by his reputation when he was on the bench. He had the reputation of being a very able lawyer and very decisive and would become very indignant if any attorney undertook to do any crooked work or would endeavor to take any advantage of any poor client. I knew him personally for four years when I served as clerk of the court, and he was a very agreeable man to do business with in the clerk's office. I have known all of his children, and he left a very interesting family. He was a Republican in politics, but was not an offensive partisan. He was a very plain and unassuming man, absolutely honest in every respect and a man of very high morals.

Seantor Hagemann, from a special committee, submitted the following report and moved its adoption:

ALVIN MANLEY WHALEY.

Alvin Manley Whaley was born in Wyoming County, New York, May 14, 1838. He was a pupil in the common schools until the age of fifteen, when he entered Middlebury Academy in Wyoming County, continuing there, except during the winters when he taught, until 1861, when the breaking out of the rebellion put an end to peaceful pursuits.

Patriotic and loyal, he quickly enlisted for service and, although without experience, was elected by his companions second lieutenant of Company K, Seventeenth New York Volunteers, one of the first companies to enlist. Going to the front he was with the army of the Potomac, where, on account of bravery and merit, he was successively advanced to the rank of first lieutenant and then captain.

At Fredericksburg, while leading his men in an assault on the rebel works, he was struck on the head by a musket ball, and it was supposed by all that this was the end of his brilliant career. Although the skull was fractured, prompt surgical skill saved his life, but so remarkable was his recovery that the case was reported at length in "The Medical and Surgical History of the Rebellion," and pieces of his skull are still preserved in the museum at Washington. Since that accident he had always worn a silver plate over his brain.

After being discharged from the hospital at Georgetown, he was mustered out, but almost immediately re-entered the service, receiving a commission as quartermaster and serving as assistant quartermaster general. Being ordered to Alabama, he went to Vicksburg, and was with Sherman on his raid and later in his famous march to the sea. Soon afterward the war ended and he returned to engage in farming in his native county in New York.

In 1869 he came to Iowa where he settled at Aplington, Butler County, where he rapidly became one of the wealthy men of the community through his extensive grain, lumber and stock operations, and later because of his banking interests as president of the Exchange Bank for many years.

Captain Whaley was a leading Republican all his life and for many years was well known and honored in the councils of his party. In 1877 he was elected to represent Butler County in the Iowa Legislature, and was returned to the same office in 1879. On the death of Senator W. B. Gaylord he was chosen to represent the Forty-sixth Senatorial District, which included Butler, Floyd and Mitchell Counties, for the unexpired term, being also re-elected for the second term.

He was chairman of the Committee on Military Affairs of the Senate, and also chairman of the Senate Committee which selected Marshalltown, Iowa, as the location for the Iowa Soldiers' Home.

He again re-entered politics when on the election of President McKinley he was made postmaster at Aplington, an office which he held until a few years ago.

He was a member of the Presbyterian Church of Aplington, and for over twenty years was an elder in the church, being sent to represent the church in the Presbytery, and being sent in 1898 to the General Assembly as representative of the Waterloo Presbytery.

He was a member of the Masonic Lodge of Parkersburg, having been honored as a Knight Templar and as a member of the Mystic Shrine. He was also a member of the John Bradley G. A. R. post at Parkersburg.

Mr. Whaley was married on October 17, 1871, to Jane Hull Smith, daughter of George B. Smith, one of the oldest leading residents of Aplington. She passed away a year ago last July. Four sons are left to mourn their father's death.

Resolved, That in the death of this noble man the state has lost a worthy citizen, soldier and statesman, and the Senate a loved and honored member; and be it further

Resolved, That these sentiments be entered upon the Senate Journal and a copy be sent to the bereaved family of the deceased.

F. P. HAGEMANN,
JOHN L. WILSON,
D. C. CHASE,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator Hagemann, in moving the adoption of the report of the committee, spoke as follows:

MR. PRESIDENT—It was not my good fortune to know Captain Whaley. He lived in a small town about forty miles from my home town. So I am not in a position to add to anything set forth in the resolutions I only want to say that a man who performed the services Captain Whaley performed was not only a patriotic man, but a good man and a man who ought to be fittingly remembered, and I therefore take pleasure in moving the adoption of these resolutions.

Senator Webber, from a special committee, submitted the following report and moved its adoption:

JOSEPH H. MERRILL.

MR. PRESIDENT—Your committee, appointed to prepare and submit resolutions in memory of Joseph H. Merrill of Ottumwa, Wapello County, Iowa, beg leave to report as follows:

It is but fitting tonight that we should pause for a moment to commemorate the life work and character of Senator Joseph H. Merrill of Ottumwa, who as one of the pioneer lawmakers of Iowa served his district in the State Senate during the Fourteenth, Fifteenth and Sixteenth General Assemblies with honor to himself and distinction to the state.

Senator Joseph H. Merrill was born in Plymouth, New Hampshire, September 27th, 1827, and came to Ottumwa in 1862, where he entered the grocery business at a time when Ottumwa was but a thriving village. As a business man he was successful, and when he retired from business ten years ago he was at the head of the wholesale grocery house of J. H. Merrill & Co. of Ottumwa, with branch houses at Creston and Red Oak.

The name of J. H. Merrill was the synonym for conservative business methods and at the time of his death he was president of the Iowa National Bank of Ottumwa, the City Savings Bank of Ottumwa, and of the Agency Savings Bank of Agency, Iowa, and was one of the leading spirits in the Dain Manufacturing Company and the Ottumwa Brick and Construction Company.

He was senior warden in the Trinity Episcopal Church of Ottumwa, and was one of the foremost men of the church in Iowa. He had frequently represented the Iowa diocese at national meetings.

Senator Merrill was of sturdy New England stock, and as such won a place for himself in his adopted state, where he carved his name on our western civilization in a way that time can never efface.

To such as him we owe this splendid civilization we call Iowa.

He endeared himself to all who knew him, and the earnest prayer, "May his soul rest in peace," rises in precious pleading from every heart.

A patriotic citizen, a loving husband and father, a successful business man, a loyal public servant; such was Senator Joseph H. Merrill, whom we mourn tonight; therefore be it

Resolved, That the Senate join with his neighbors and friends in sorow and hereby extend to his family its sincere sympathy in their bereavement; be it further

Resolved, That a copy of this resolution be spread upon the records of the Senate and that a properly engrossed copy signed by the President and Secretary be sent to the bereaved family.

JOHN F. WEBBER,
LAMONTE COWLES,
F. A. HEALD,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator Arney, from a special committee, submitted the following report and moved its adoption:

DELOS ARNOLD.

MR. PRESIDENT—Your committee, appointed to prepare resolutions commemorating the life, character and public service of the Hon. Delos Arnold of Marshall County, late a member of this Senate, beg leave to submit the following report:

Delos Arnold was born in Chenango County, New York, July 21, 1830. He died at Pasadena, California, August 31, 1909.

He was educated in the common schools of his native state and graduated from the Albany Law School in 1853 and came to Iowa in the fall of the same year and settled in Marshall County. On the day of his arrival he was appointed Prosecuting Attorney of his county, continuing in office four years.

In 1856 he was elected to the House of the Sixth General Assembly from the district formed of the counties of Benton, Marshall and Tama. He was again elected to the Legislature in 1869 and served in the House in 1870 from Marshall County, being chairman of the committee on banking. In 1876 he was elected to the Senate and served during the Sixteenth, Seventeenth, Eighteenth and Nineteenth sessions. As chairman of the committee on penitentiaries, he introduced the bill which became a law providing for the disposing of the labor of convicts. In his last session he became chairman of the committee on appropriations.

During his service in the Legislature he procured the passage of the first act for establishing weather service in Iowa.

Mr. Arnold was one of the leading spirits in the building of the State House at Des Moines, and was on the committee auditing the expenditures of the funds in the erection of the State House as a member of the Board of Capitol Commissioners. The Capitol building is a monument to the memory of Delos Arnold and his co-workers on the Board of Capitol Commissioners, and today stands as a fitting tribute to the high character of the men who composed that commission. In the long debate leading up to the building of the Capitol

of Iowa and the formation of a commission to take charge of its affairs. Delos Arnold's hand was the guiding hand; and through all the laborious days of the existence of that commission his one thought was that Iowa should have an abiding home in its Capitol and should have a monument to the integrity of its builders; and, after more than thirty-five years, it stands a monument without criticism, and the acts of the present Assembly approve of the wisdom of its builders.

Delos Arnold also served the state as a regent to the State University. He was appointed by President Lincoln Assessor of Internal Revenue in what was the Sixth Congressional District, and continued in that office for four years.

In 1886 Mr. Arnold removed to Pasadena, California, in which city he made his home for the remaining days of his life. He was a member of the school board of his city for fifteen years. He was a lover of nature, and spent many days in collecting specimens of natural history, gathering together from all parts of the world rare specimens of the life of the past ages. His collection of natural history specimens he presented to the University of California. These are believed to be the finest collection of fossils, shells and corals ever gathered together in the state of California.

Upon the death of Mr. Arnold his body was brought to Marshalltown and buried in the cemetery with his children, who had died in infancy.

Mr. Arnold married Miss Hannah H. Mercer November 28, 1855, at Marietta. She was of the Order of Friends, and was from Columbia County, Ohio. They had six children, three of whom died in infancy.

The active years of the life of Delos Arnold were spent in the service of the state of Iowa, and but few men of the pioneer days of Iowa did more than Mr. Arnold to place the state upon a high plane of moral integrity and honesty in public affairs and to establish its institutions, both for the caring of the unfortunate and the student bodies of Iowa in the advance positions in his day. He gave his best thought to the State University of Iowa during all the years that he was a member of its Board of Regents, and the institution grew strong and became an honor to the great state.

As a business man Mr. Arnold was successful far beyond the average man of his day in Iowa, and few citizens of his state have been more successful than he. In his death California lost one of her distinguished adopted sons, and Iowa lost a faithful servant who had served the state for many years while a resident of the Prairie State, and it is with regret that we have to present to this Assembly this announcement of his death and present these memorial resolutions. Therefore be it

Resolved, That in the death of Delos Arnold the state and county in which he resided lose a worthy and upright citizen, an honorable man, and we hereby extend to the bereaved family and friends our sincere sympathy; and be it further

Resolved, That a copy of these resolutions be printed in the Journal of the Senate and that the Secretary of the Senate be directed to forward an engrossed copy to the family of the deceased.

W. H. ARNEY,
S. W. DEWOLF,
FREDERIC LARRABEE,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator Schrup, from a special committee, submitted the following report and moved its adoption:

BENJAMIN BILLINGS RICHARDS.

MR. PRESIDENT—Your committee appointed to draft resolutions in commemoration of the life, character and services of ex-Senator B. B. Richards of Dubuque, beg leave to submit the following report:

Benjamin Billings Richards, who was a member of this body seven years, after having served in the Lower House one term, died at Dubuque, Iowa, March 16, 1912.

He was born in the state of New York on August 30, 1823. After attending school at Bennington, Vt., he taught in district schools in his native state. At the age of eighteen he became principal of a seminary and professor in mathematics. In 1848 he was admitted to the bar at Milwaukee, but he never practiced that profession in this state, to which he came in 1854. In 1863 he was elected member of the House of Representatives from Dubuque County. He was positive in the expression of his views, although always courteous and tolerant of others' opinions.

Two years later he entered the Senate, remaining a member of this body for four years. He was again returned to this office in 1872. At different sessions he was on the Committees of Ways and Means, Railroads and Claims against the United States, the last named the most important committee, in view of the large sums of money the state had advanced toward the prosecution of the war. The steps then taken brought to the State Treasury vast sums.

While always a member of the minority party his imposing personality commanded the highest respect and influence with his political opponents. He was twice selected by his party as its candidate for Congress, the first time when the late William B. Allison was first successful, the nominees conducted a joint debate.

He was greatly interested in the cause of popular education and served as a member of the Dubuque Board of Education with marked ability and success for several years. He was the first president of the Dubuque National Bank and was the founder of several banks in

the northern part of the state. A prominent layman in the Episcopal Church, he was a member of the diocesan convention in 1853 that chose Rev. Dr. Henry W. Lee the first bishop of Iowa. His was indeed a worthy and eventful life, made serene through the happiness he imparted to others. Those who remember him as a member of any organization recall with pleasure the dignified courtesy that characterized his manner. His polished and eloquent oratory made him known as "The Silver Tongued Champion of Iowa Democracy." His public career, as well as his private life and his attractive personality left a lasting impression on the community in which he lived so long and in which he was so highly esteemed.

The end to this long life came when to the burden of years fell the afflicting dispensation that carried away his beloved wife, who preceded her husband to the great beyond by only six weeks. In 1867 he was married to Miss Evelyn Whitaker, daughter of Collins Whitaker. Three children survive: Mr. Clarence W. Richards and Mrs. Clyde Ellsworth of Dubuque and Mrs. Clark L. Poole of Chicago.

Resolved, That this record be spread on the Journal of this body, and that an engrossed copy hereof be transmitted to his bereaved family with the assurance of the high appreciation of the Senate, of one of the sturdy pioneers of Iowa legislation and one so worthy of honor, who was one of its members, even though in the long ago.

N. J. SCHRUP,
ROBERT QUIGLEY,
G. E. HILSINGER,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator Quigley, from a special committee, submitted the following report and moved its adoption:

LIBERTY EATON FELLOWS.

MR. PRESIDENT—Your committee, appointed to draft resolutions on the death of the Honorable Liberty Eaton Fellows take pleasure in submitting to the Senate the following report:

Liberty Eaton Fellows was born at Corinth, Orange County, Vermont, August 22, 1834. He lived with his parents on a farm and attended the common school of Corinth and later attended the Thetford Academy in Orange County. He removed to Wisconsin in 1856, and to Allamakee County, Iowa, in 1857. Here he worked on a farm, clerked in the county offices, took up the study of law and was admitted to the bar in 1862, locating at Lansing and soon becoming one of the leading attorneys of Allamakee County.

The county was new and the laws of Iowa were not settled. Many questions were met where there were no cases or precedents to refer to. The practitioner must possess a broad sense of right and justice and be able to present his arguments to the courts, not as a "book worm," but as a philosopher of law, assisting the courts in crystalizing common sense into legal decisions.

In the making of the common law, as expressed in our early reports, L. E. Fellows exerts a great influence. He was a member of the Iowa House of Representatives in the Eleventh and of the Senate in the Twelfth and Thirteenth General Assemblies. As a lawmaker he was careful, honest and courageous, as shown by his statement in debate, when the question of publicity of the acts and votes of members came up he said, "So far as I am concerned I want my constituents to know where I stand. If any of my actions here be in opposition to the views of my constituents I am perfectly willing they should know it, and I do not want to screen other Senators by voting this resolution down."

In 1889 Governor Larrabee appointed L. E. Fellows Judge of the Thirteenth Judicial District to fill the unexpired term and serve the remainder of the term. In 1894 Judge Fellows was elected Judge of the District Court of the Thirteenth Judicial District. So able, impartial and satisfactory was his conduct of the office that he held the esteem of the united bar and the people of the district. By common consent as a non-partisan he was continued in the office until his death, July 17, 1912.

In 1861 he was married to Miss Mary S. Reed, who survives him. To this union eleven children were born, eight of whom are now living, and were at the bedside of their father when he passed away. The sons were the pallbearers at the funeral, which was held in Lansing on the afternoon of July 19, 1912.

Judge Fellows was for several years a trustee of the Mount Pleasant Hospital and also a trustee of Upper Iowa University. He was a member of the Methodist Episcopal Church, and an active member of the Masonic order and served two years as Grand Master.

He lived the simple life and was a man who delighted to mingle with the people. He loved his home and was happy in his family. He was beloved by his neighbors and friends throughout all Iowa. He was honest and upright in all his dealings and had the confidence and esteem of all who knew him. He was an excellent lawyer, stood high in his profession and either as a lawyer or a judge his whole purpose was to see that equal justice was done.

Many were the honors conferred upon Judge Fellows in the Masonic order and by the people of the state. He belonged to the people of his district, and his whole purpose was to serve them.

Resolved, That in the death of Judge Liberty Eaton Fellows the Senate has lost a valuable former lawmaker, the people an upright judge, the community in which he lived an exemplary citizen, the fraternities and church to which he belonged a true brother, and his family a faithful and loving husband and father; and be it further

Resolved, That these resolutions be spread upon the Journal of the Senate, and that the Secretary of the Senate be directed to forward engrossed copies of these resolutions to the wife and family of the deceased.

ROBERT QUIGLEY,
ELI C. PERKINS,
FREDERIC LARRABEE,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator Crow, from a special committee, submitted the following report and moved its adoption:

ADDISON OLIVER.

MR. PRESIDENT—Your committee appointed to draft suitable resolutions on the life and public service of the Honorable Addison Oliver, who was an honored member of the Senate of Iowa, beg leave to report the following memorial:

Addison Oliver, a member of the Senate of Iowa in the Eleventh and Twelfth General Assemblies, died at his home in Onawa, Monona county, July 7th, 1912, when nearly seventy-nine years of age.

Mr. Oliver was a native of the county of Washington, Pennsylvania, where he was born July 21, 1833, and in which county he was graduated from Washington and Jefferson college at the early age of seventeen. His first adventure into business of any kind was in teaching school in the state of Arkansas, where he taught two years. Returning to his native state Mr. Oliver entered upon the study of law in the office of William Montgomery, a member of Congress, and was admitted to the bar in 1857. Coming west shortly afterwards, he made his home at the then frontier town of Onawa, in 1858. He became a member of the county board of supervisors in 1861. In 1863 he was elected a representative of the counties of Monona, Crawford and Sac to the Tenth General Assembly. Two years later he was elected to the Senate from the counties of Monona, Woodbury and thirteen others, including in the list two yet unorganized; the district being then practically all of the northwestern part of the state. In the session of 1866 he was a member of the committees of Ways and Means, Railroads and Public Buildings. In 1868 he was chairman of the committee on Constitutional Amendments and a member of the Committees on Railroads and Incorporations. The first named committee was of the more importance at that session because of the fact that that General Assembly sent to the people the

first amendment to the present constitution, that providing for universal manhood suffrage. The railroad committee was also more than ordinarily important because at that session several land-grants had been forfeited because of the failure of the grantees to build the roads for which the grants were made. Senator Oliver struggled when the bills disposing of the lands were under consideration to keep the lines of the roads within the limits of the original grants, but ineffectually.

The Twelfth General Assembly created the office of circuit judge and the circuit courts. At the election following the session of that body, Senator Oliver was elected judge of the first circuit of the fourth judicial district. Ten organized counties then furnished extensive travel for the new judge while also he, together with District Judge Henry Ford and Circuit Judge James M. Snyder, held the short lived appellate tribunal known as the "General Term" for the fourth judicial district. In 1872, the circuits having been reduced in number one half and only one judge being elected in each judicial district, Judge Oliver was elected to the larger field, having nineteen counties, about one-fifth of the state territorially to travel over. Two years of this experience terminated Judge Oliver's judicial labors as he was then elected to the Forty-fourth Congress from the ninth district. After four years of service, he declined another candidacy although it was understood that both republicans and greenbackers wished him to remain in Congress. Broad and exacting as must have been the duties devolving upon Judge Oliver, there seems to be universal attestation to the value of his public services. Judge Oliver was a delegate to the Baltimore convention that nominated Abraham Lincoln for president the second time.

After his retirement Judge Oliver devoted himself to business and became one of the most extensive farmers in western Iowa and used his wealth for furthering worthy public enterprises, the little city that was his home for half a century having a public library and manual training building, through his generosity.

Before coming to Iowa young Judge Oliver was united in marriage with Miss Hannah Towne, a schoolmate from earliest date. To the union were born ten children of whom one, John F., is now district judge of the fourth judicial district, which district is a part of the original territory over which his father presided.

In the death of Judge Addison Oliver the state loses one of its pioneer law makers and worthy judges and an able representative in the Congress of the United States whose memory it is an honor to the Senate of Iowa to commemorate and it is with a feeling of the great loss to the community in which he lived that we present these resolutions to the Senate of this State and realizing the great loss to his community and to his family,

Therefore, be it resolved, that these resolutions be spread upon the Journal of the Senate and that an attested copy be prepared and sent to the family by the secretary of the Senate.

E. L. CROW,
E. P. FARR,
ELI C. PERKINS,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator Ames, from a special committee, submitted the following report and moved its adoption:

JOHN RYDER.

MR. PRESIDENT—Your committee, appointed to draft suitable resolutions on the life, character, and public services of the Honorable John Ryder, respectfully report as follows:

John Ryder, who was a member of this body in the Twentieth and Twenty-first General Assemblies, died at Vinton, August 13, 1911, the day he completed his eightieth year. Mr. Ryder was a native of the state of Ohio, born near Tiffin. He got the ordinary schooling of the locality and, reaching manhood, went into mercantile business, and bought and shipped grain extensively, having two elevators. In 1870 he came to Iowa and engaged in buying and shipping butter, eggs and country produce, and did at one time a business of the kind hardly surpassed in volume in this state, shipping to the great markets east and west. Mr. Ryder was for one term a member of the Ohio legislature. After coming to Iowa he was elected to the House of Representatives of this state. In 1883 he was chosen senator. Politically, he had been a republican until the presidential campaign of 1872, when he supported Horace Greeley; thereafter he acted with the democratic party and was the first democrat chosen to the legislature for many years from Benton county.

November 14, 1854, he was united in marriage with Miss Mary J. Tyler of Fremont, Ohio.

Resolved, That these sentiments be entered upon the Senate Journal and an engrossed copy, duly authenticated, be sent to Mr. Ira Mitchell, Vinton, Iowa, and a copy to the Vinton Eagle.

A. L. AMES,
JOHN L. WILSON,
E. L. CROW,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator Francis, from a special committee, submitted the following report and moved its adoption:

CHARLES C. CHUBB.

MR. PRESIDENT—Your committee appointed to draft resolutions commemorating the life work and public service of Honorable Charles C. Chubb, begs leave to report the following:

Honorable Charles C. Chubb, who was a member of the Senate in the Twentieth and Twenty-first General Assemblies, died at Algona, May 21, 1911. He was of New England ancestry and was born October 2, 1840, in Waukesha county, Wisconsin. There he was reared and educated and there enlisted in the 3d Wisconsin Infantry, early in the war. He served with the Army of the Potomac and participated at Antietam, Gettysburg, Lookout Mountain, Chancellorville, and other hard battles in which that army was engaged. When his first term of enlistment expired in 1864 he entered the 20th New York Heavy Artillery, remaining in the service nearly another year. After the war he removed to Kossuth county in this state where he built up a reputation of being an important factor in the promotion and establishment of substantial business and public affairs. He served as county supervisor a year or more, and was elected to this body in 1883, serving one term of four years.

Resolved, That the Senate of Iowa is appreciative of the loss the state and community in which he lived sustained in the death of this enterprising man, one who in his early life gave so much of his years to the cause of union and liberty.

Resolved, That a copy hereof duly engrossed be transmitted to the family of the deceased veteran.

L. E. FRANCIS,
JOHN F. WEBBER,
F. A. HEALD,
Committee.

The resolutions were adopted unanimously by a rising vote.

Senator Wilson submitted the following report and moved its adoption:

WICKLIFFE A. COTTON.

MR. PRESIDENT—Your committee appointed to draft resolutions in memory of the life and services of Senator Wickliffe A. Cotton, has the honor to submit the following report:

Wickliffe A. Cotton, who was a member of this body from 1882 to 1886, died at Dewitt very suddenly on Tuesday, March 19, 1912, aged sixty-nine. He was a native of the state of Ohio, where, at Austintown,

he was born February 2, 1843. The next year the family removed to Iowa, settling in Clinton county. There he grew to manhood. He was duly admitted to the bar, and practiced his profession there during the remaining years of his life.

In 1881 he was elected a member of the Senate. In the Nineteenth General Assembly he was placed on the committees of Judiciary, Appropriations, Elections and Penitentiary, and was made chairman of the committee that has control of the state library. Two measures he introduced were placed in the statutes, one providing an annual salary for an assistant librarian, and the other authorizing the sale of indemnity swamp lands, which the counties had come into possession of because of swamp lands sold by the general land office. In the Twentieth General Assembly Senator Cotton was chairman of the committee on Elections, and a member of the committee on Appropriations, and several other committees.

Retiring from the Senate, he continued to be interested in public affairs, but from that time on, held no public office. He was active and prominent in the Masonic order. His church membership was of long standing, and continued till the last. His funeral was attended by great numbers of people, coming from different parts of the county which had been his home for more than sixty years. He is represented as being of the highest type of American citizenship. While firm in his convictions, he was a broad-minded liberal man among his fellows. He had a gentleness of manner that made friends of those with whom he came in contact.

Senator Cotton's wife preceded him in death some two years. One of their two children survives—Mrs. Clelle Culbertson, of Massillon, Ohio. A brother, Aylett Rains Cotton, survived him a few months. He was a member of the constitutional convention, the last survivor but one of that body. He was also Speaker of the House in 1870. He died October 30, 1912, at San Francisco, California, where his home had been for many years.

Resolved, That the foregoing be spread on the Journal of the Senate, and that copies of these resolutions be transmitted to the family and near kindred of the departed jurist, as the Senate's tribute to the worth of a man who did well his part in the fields he entered, not the least of which was his work as a legislator of the state that was his home from infancy.

JOHN L. WILSON,
FREDERIC LARRABEE,
JOHN I. CLARKSON,
Committee.

The resolutions were adopted unanimously by a rising vote.

ORLANDO H. MANNING.

Resolved, That a page of the Journal of this session be devoted to a memorial to Hon. Orlando H. Manning, twelfth lieutenant-governor of this state, with the following entry:

IN MEMORIAM

ORLANDO H. MANNING.

Twelfth Lieutenant-Governor of Iowa

Born at Abingdon, Wayne County, Indiana

May 14, 1848

Came to Iowa in 1854

Treasurer of Carroll County 1874-1876

Represented Carroll and adjoining counties in the Sixteenth and Seventeenth General Assemblies

Lieutenant-Governor 1882-1885

Died at Atlantic City, New Jersey,

September 19, 1909

A town in the county of Carroll perpetuates his name.

BILLS AND JOINT RESOLUTIONS

Passed by the Thirty-fifth General Assembly

Titles of laws enacted and joint resolutions passed by the Thirty-fifth General Assembly to April 19, 1913.

JOS. E. MEYER,
Secretary of the Senate.

Senate File, No. 1, by Senator Thomas, a bill for an act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Senate File No. 3, by Senator Clarkson, a bill for an act relating to employers' liability for personal injury sustained by employees in line of duty, fixing compensation therefor, securing the payment thereof, providing for the appointment of a commissioner and defining his duties.

Senate File No. 4, by Senator Clarkson, a bill for an act to repeal section twenty-eight hundred thirteen (2813), supplement to the Code, 1907, and enacting a substitute therefor relating to bonded indebtedness of school corporations.

Substitute for Senate File No. 6, by Senator Clarkson, a bill for an act to repeal section 1, chapter 106, acts of the Thirty-fourth General Assembly, and enact a substitute therefor relating to the appointment of mine inspectors, and fixing their term of office.

Senate File No. 13, by Senator Balluff, a bill for an act to repeal section three hundred sixty-four (364) of the Code relating to investment of money and to enact a substitute therefor.

Substitute for Senate File No. 14, by Senator Balluff, a bill for an act to amend chapter two hundred (200) of the acts of the Thirty-third General Assembly relating to administration of the estates of absentees.

Substitute for Senate File No. 16, by Senator Balluff, a bill for an act to repeal section three thousand three hundred seventy-nine (3379) of the Code and to enact a substitute therefor relating to the share of surviving spouse.

Senate File No. 18, by Senator Balluff, a bill for an act to amend section nine hundred thirty-seven of the Code relating to the filling of vacancies in the office of alderman in cities under special charters.

Senate File No. 21, by Senator Wilson of Clinton, a bill for an act to repeal section 1869 of the supplement to the Code, 1907, and to enact a substitute therefor providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for the violation of the provisions of the law.

Substitute for Senate File No. 24, by Senator Francis, a bill for an act to appropriate money for the indemnity by way of compensation to Clara Bahls for personal injury sustained while working in the laundry department in the state institution for the deaf and dumb at Council Bluffs, Iowa.

Senate File No. 27, by Senator Schrup, a bill for an act to require all railroad companies owning railroads in the state of Iowa of less than four (4) feet, eight and one-half (8½) inches gauge to adopt such gauge within such reasonable time as may be fixed by the railroad commissioners.

Senate File No. 29, by Senator Cowles, a bill for an act to transfer to the city of Burlington, Iowa, the title, use and control of a certain island in the Mississippi river near the city of Burlington, Iowa, known as Otter island.

Senate File No. 32, by Senator Spaulding, a bill for an act to amend the law as it appears in section two hundred sixty-five (265) of the Code relating to the clerk of the superior court.

Senate File No. 35, by Senator Chase, a bill for an act to legalize a certain election held in the town of Jewell Junction, Iowa.

Substitute for Senate File No. 37, by Senator Sullivan, a bill for an act to repeal section five thousand two hundred fifty-six (5256) of the Supplement to the Code, 1907, relating to the appointment, duties and compensation of the clerks of the grand jury, and enacting a substitute therefor.

Senate File No. 38, by Senator Sullivan, a bill for an act to provide for the compilation of the laws of the Thirty-third, Thirty-fourth and Thirty-fifth General Assemblies and the laws as they appear in the Supplement to the Code, 1907; to annotate same and the Code and rules of the supreme court to and including May term, 1913, of the supreme court, and to publish the said compilation and annotations as a "Supplement to the Code, 1913," and to provide for the appointing of a supervising committee, the election of an editor of such Supplement to the Code, and to establish a salary for such editor, and making an appropriation therefor, and repealing section twenty-four (24) of chapter twenty (20) of the acts of the Twenty-sixth General Assembly, extra session, as same appears on page five (5) of the prefix to the Code.

Substitute for Senate File No. 40, by Senator Malmberg, a bill for an act relating to the loaning and depositing of public funds by city treasurers.

Senate File No. 43, by Senator Sheean, a bill for an act appropriating the sum of twenty-seven hundred ($2,700.00) dollars to indemnify Allen W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa.

Substitute for Senate File No. 44, by Senator Sheean, a bill for an act to repeal the law as it appears in sections five thousand six hundred sixty-nine-a (5669-a), five thousand seven hundred sixteen (5716) and five thousand seven hundred eighteen-a-twenty-eight (5718-a-28) of the Supplement to the Code, 1907, and in sections five thousand seven hundred seventeen (5717) and five thousand seven hundred eighteen (5718) of the Code, and to enact substitutes therefor providing for the compensation and allowances of officers and employes of the reformatory at Anamosa and the penitentiary at Fort Madison.

Senate File No. 47, by Senator Wilson of Clinton, a bill for an act to legalize the incorporation of the city of Camanche, Clinton County, Iowa, the election of its officers and certain acts done and ordinances passed by the city council of said city.

Senate File No. 49, by Senator McColl, a bill for an act making appropriations to defray the expenses of the inaugural ceremonies.

Senate File No. 52, by Senator Chase, a bill for an act requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for failure to comply therewith.

Substitute for Senate File No. 57, by Senator Heald, a bill for an act to confer power upon the railroad commission of the state of Iowa to grant a franchise to any individual or corporation organized under the laws of Iowa, or corporation authorized to transact business in Iowa under the general incorporation laws of the state engaged in the manufacture, sale or distribution for sale of electric current, to construct transmission lines and obtain the necessary interests in real estate therefor, and the manner of making compensation to said owner of said lands for said rights.

Senate File No. 61, by Senator Larrabee, a bill for an act to provide additional funds for the soldiers' home and industrial school for boys, the industrial school for girls, the state penitentiary and the reformatory.

Senate File No. 64, by Senator Malmberg, a bill for an act to amend section 3340 of the Code relative to the examination of the owner of claims against estates.

Senate File No. 70, by Senator Savage, a bill for an act to establish a department of public instruction, and to amend section ten hundred and sixty-five (1065) of the Supplement to the Code, 1907, and to repeal chapter one (1) of title thirteen (13) of the Code, and to repeal chapter one (1) of title thirteen (13) of the Supplement to the Code, 1907, as amended, relative to the office of superintendent of public instruction, and to enact a substitute therefor.

Senate File No. 72, by Senator Boe, a bill for an act to repeal sections two (2), four (4) and nine (9) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth General Assembly, and to enact substitutes therefor, and amend section eight (8) of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth (34th) General Assembly relating to the training of teachers for rural schools and making appropriation therefor.

Senate File No. 75, by Senator Arney, a bill for an act to repeal chapter one hundred sixty-six (166) of the acts of the Thirty-third General Assembly and to enact a substitute therefor relating to payments for their support by members of the soldiers' home.

Senate File No. 76, by Senator Arney, a bill for an act to amend section twenty-six hundred eight (2608) of the Supplement to the Code, 1907, and establish a minimum monthly allowance for the support of the soldiers' home.

Substitute for Senate File No. 79, by Senator Larrabee, a bill for an act to amend the law as it appears in sections twenty-eight hundred twenty-three-a (2823-a) and twenty-eight hundred twenty-three-i (2823-i), Supplement to the Code, 1907, as amended by chapter one hundred eighty-six (186) and chapter one hundred eighty-seven (187), acts of the Thirty-third General Assembly, relative to the attendance of children of a certain age in public schools.

Senate File No. 80, by Senator Chase, a bill for an act to pension the survivors of the Spirit Lake relief expedition of 1857, providing the amount of such pensions, the method of payment, and making an appropriation therefor.

Senate File No. 81, by Senator Chase, a bill for an act to legalize releases and satisfactions of mortgages and trust deeds.

Senate File No. 82, by Senator Chase, a bill for an act to provide additional chairs in the college of homeopathic medicine of the state university of Iowa, additional to chapter 168 of the acts of the Sixteenth General Assembly.

Senate File No. 84, by Senator Malmberg, a bill for an act to legalize a special election held in the city of Carroll, Iowa, at which was submitted the question of granting a franchise for the establishment of gas works and the use of the streets, alleys and public grounds of said city in connection therewith, and to legalize an ordinance passed by the city council of said city granting said franchise, and legalizing all acts of said city and its council in connection with the grant of the same.

Senate File No. 85, by Senator Arney, a bill for an act to repeal section seven hundred ninety-three (793) of the Code relating to street improvement, sewers and special assessments and to enact a substitute therefor.

Senate File No. 87, by Senator Francis, a bill for an act amending the law as it appears in section 2578 of the Supplement to the Code, 1907, relating to revocation of physicians' certificates and defining unprofessional conduct.

Substitute for Senate File No. 95, by Senator Nye, a bill for an act to legalize the incorporation of the town of Sharpsburg, Taylor county, Iowa, the election of its officers, the passage and record of all valid ordinances and resolutions, and all acts done that were in compliance with law by the council of said town.

Senate File No. 99, by Senator Sullivan, a bill for an act amending section seven hundred ninety-two (792) of the Code relating to street improvements.

Senate File No. 100, by Senator Sullivan, a bill for an act to legalize the election of the city of Des Moines, Iowa, held on the 26th day of March, 1906, in favor of providing flood protection, as well as to legalize all acts done and resolutions passed and contracts entered into by the city council of the city of Des Moines for the improvement of the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high water.

Substitute for Senate File No. 103, by Senator Farr, a bill for an act declaring the emission of smoke within the corporate limits of certain cities, including cities acting under special charter, to be a public nuisance and conferring upon such cities additional powers for the abatement of such nuisances and repealing chapter thirty-seven (37) of the laws of the Thirty-fourth General Assembly.

Senate File No. 104, by Senator Farr, a bill for an act to amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850), Supplement to the Code, 1907, relating to the investment of funds by savings banks.

Senate File No. 106, by Senator Perkins, a bill for an act to amend section eighteen (18) of chapter one hundred and seventy (170) of the acts of the Thirty-third General Assembly relative to the powers and duties of the state board of education and the finance committee of said board of education.

Senate File No. 114, by Senator Crist, a bill for an act to amend section 458-c of the Supplement to the Code, 1907, and chapter 32 of the acts of the Thirty-third General Assembly relating to the payment of claims for injuries to domestic animals.

Senate File No. 116, by Senator Mattes, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institutions for the feeble minded children, sanatorium for the treatment of tuberculosis, industrial schools, state hospitals, penitentiary and reformatory.

Substitute for Senate File No. 118, by Senator DeWolf, a bill for an act to confer additional powers upon trust companies, state and savings banks, and to prescribe the conditions under which they may transact business.

Senate File No. 119, by Senator Arney, a bill for an act to require foreign corporations owning, controlling, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant, water works, interurban or street railway located within the state of Iowa, or the business of such works, plants or railways or owning or controlling stock in any corporation owning, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant, water works, interurban or street railway located within the state of Iowa or the business of such plants or railways to comply with the laws governing the issuance of capital stock of domestic corporations and the making of reports by domestic corporations and to require said foreign corporations to obtain a permit to transact business within the state of Iowa, and conferring upon courts of equity jurisdiction to dissolve and terminate corporations, works, plants or businesses violating this act and providing penalties for violations of this act.

Substitute for Senate File No. 121, by Senator Thomas, a bill for an act to amend the law as it appears in chapter one hundred forty-two (142) of the acts of the Thirty-third General Assembly relating to the number of persons to whom city or town councils may by resolution grant consent to sell intoxicating liquors, and making the same apply to cities acting under special charter.

Senate File No. 124, by Senator Wilson of Appanoose, a bill for an act to amend section three thousand eight hundred two (3802) of the Code relative to the lien of judgments.

Senate File No. 127, by Senator Hilsinger, a bill for an act to amend the law as it appears in section twenty-seven hundred and fifty-four (2754) of the Supplement to the Code, 1907, and section twenty-seven hundred and fifty-six (2756) of the Code relating to the election of officers in independent school districts in towns and cities, and the appointment of judges therefor in certain districts.

Senate File No. 130, by Senator Clarkson, a bill for an act to amend section ten hundred seventy-six (1076), Supplement to the Code, 1907, relating to registration of voters.

Senate File No. 134, by Senator Darrah, a bill for an act for the relief of the grantees of G. W. Perkins, and for the purpose of having a patent issued in the name of John A. Rutter for a certain tract of land.

Senate File No. 135, by Senator Quigley, a bill for an act to amend section 3377 of the Code relating to the election between the distributive share and occupancy of homestead by surviving spouse and setting off such distributive share.

Senate File No. 136, by Senator Ames, a bill for an act to provide for the destruction of noxious weeds and other weeds upon lands, highways and other places; prescribing penalties for the violation thereof; assessing the costs and expenses of the destruction of the same to the lands and owners thereof, and providing funds with which to destroy the same, and repealing all of chapter ninety-six (96) of the acts of the Thirty-third General Assembly relating to weeds upon lands and highways.

Senate File No. 139, by Senator Jones, a bill for an act to amend the law as it appears in section fifty-seven hundred seven (5707) of the Supplement to the Code, 1907, relating to the breaking of stone.

Senate File No. 140, by Senator Jones, a bill for an act to repeal the law as it appears in section fifty-six hundred eighty-five-a (5685-a) of the Supplement to the Code, 1907, and to enact a substitute therefor in regard to collection of money from visitors and its use.

Senate File No. 142, by Senator Jones, a bill for an act to repeal chapter one hundred thirty-seven (137) of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor relating to the support of the industrial schools.

Substitute for Senate File No. 144, by Senator Ames, a bill for an act to amend sections two (2), three (3), five (5) and seven (7) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly, and adding new sections to the same relating to stallions and jacks.

Substitute for Senate File No. 146, by Senator Wilson of Appanoose, a bill for an act to amend sections five (5) ten (10), twelve (12), fifteen (15) and sixteen (16) of chapter one hundred twenty-eight (128), acts of the Thirty-fourth General Assembly, relative to the duties and compensation of the state fire marshal and the deputy state fire marshal, and making an appropriation for the maintenance of the state fire marshal's office.

Senate File No. 151, by Senator McColl, a bill for an act to amend the law relating to the compensation and duties of school treasurers as the same appears in section twenty-seven hundred eighty (2780) of the Code, and section twenty-seven hundred sixty-eight (2768) of the Supplement to the Code, 1907.

Senate File No. 152, by Committee on Rules, a bill for an act to fix the date of the counting of the votes for governor and lieutenant governor, and fixing the date of the inauguration of governor and lieutenant governor.

Senate File No. 156, by Senator Heald, a bill for an act repealing section one thousand three hundred twenty-six (1326) of the Code and enacting a substitute in lieu thereof relating to the assessment of stock of building and loan associations.

Substitute for Senate File No. 161, by Senator Perkins, a bill for an act in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates, authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation for the labor of patients.

Senate File No. 162, by Senator Perkins, a bill for an act providing for the paroling of patients in the state hospital for inebriates and certain female patients from state hospitals for the insane, and for the return of patients who violate their paroles, and repealing the law as it appears in section twenty-three hundred ten-a nineteen (2310-a-19) of the Supplement to the Code, 1907.

Senate File No. 166, by Senator Francis, a bill for an act to amend section forty-four hundred twenty (4420) of the Code relating to applications for writs of habeas corpus.

Senate File No. 170, by Senator Taylor, a bill for an act relating to the practice of dentistry, and to repeal sections twenty-six hundred-i (2600-i) and twenty-six hundred-j (2600-j) of the Supplement to the Code, 1907.

Substitute for Senate File No. 175, by Senator Spaulding, a bill for an act to amend section twenty-three hundred forty-eight (2348) of the Code relating to bounty on wolves.

Substitute for Senate File No. 176, by Senator Balluff, a bill for an act to amend section one (1) of chapter sixty-eight (68) of the acts of the Thirty-fourth General Assembly relating to the assessment and collection of a tax upon collateral estates, annuities, legacies, bequests, gifts, transfers and inheritances.

Senate File No. 177, by Senator Robinson, a bill for an act to repeal the law as it appears in sections six hundred forty-eight (648) and six hundred fifty-one (651) of the Supplement to the Code, 1907, and to enact substitutes therefor relative to the election and appointment of certain officers in cities and towns.

Substitute for Senate File No. 178, by Senator Robinson, a bill for an act to repeal the law as it appears in section seven hundred eleven (711) of the Code, and to enact a substitute therefor relating to the powers of cities and towns to enact ordinances for protection against fires, accidents from electrical apparatus, to establish fire limits, to prohibit within such limits the erection of buildings and structures of certain construction and providing for the cost of removal or taking down of buildings erected in violation of such ordinances.

Senate File No. 180, by Senator Robinson, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-a-sixty-four (2727-a-64) of the Supplement to the Code, 1907, relating to removal of patients from county asylum and providing for the expense thereof.

Substitute for Senate File No. 186, by Senator Heald, a bill for an act to repeal section four hundred seventy-nine (479), Supplement to the Code, 1907, and to enact a substitute therefor relating to the compensation of county auditors.

Substitute for Senate File No. 192, by Senator McColl, a bill for an act additional to chapter five (5), title ten (10) of the Code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same.

Senate File No. 196, by Senator McManus, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-seven-a eighty-five (2727-a-85) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the support of the state sanatorium for the treatment of tuberculosis.

Senate File No. 200, by Senator Neal, a bill for an act to enable the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg, and to appropriate therefor and provide for the disbursement thereof.

Senate File No. 205, by Senator Savage, a bill for an act requiring the teaching of elementary agriculture, domestic science and manual training in the public schools after a specified time.

Senate File No. 206, by Senator Wilson of Appanoose, a bill for an act to amend section one (1), chapter one hundred four (104), acts of the Thirty-third (33rd) General Assembly, as amended by chapter seventy-three (73) of the acts of the Thirty-fourth (34th) General Assembly, describing the form of index of articles of incorporation, and making it the duty of the recorder to so index said articles.

Substitute for Senate File No. 209, by Senator Legel, an act to amend the law as it appears in section four thousand five hundred eighty-five (4585) of the Code relative to the making of a transcript from the docket and judgment of a justice of the peace where a vacancy exists.

Senate File No. 210, by Senator Boe, a bill for an act to amend the law as it appears in sections ten hundred fifty-six-a-twenty-five and ten hundred fifty-six-a-twenty-six (1056-a-25 and 1056-a-26) of the Supplement to the Code, 1907, as amended, and to provide for the appointment and powers of library trustees in certain cities.

Senate File No. 212, by Senator McColl, a bill for an act to provide for the erection of a women's and children's building on the Iowa state fair and exposition grounds, and to make an appropriation therefor.

Senate File No. 214, by Senator Mattes, a bill for an act authorizing the executive council of Iowa to incur expenses and make expenditures to procure data, make investigations and provide things not otherwise provided to enable said executive council to perform the duties imposed by law, and making appropriation therefor.

Substitute for Senate File No. 219, by Senator Sullivan, a bill for an act to provide for the transfer to the city or town treasurer of unclaimed funds in the treasury of the county where such unclaimed funds are the proceeds of an invalid tax levied to pay for the construction of an electric light plant for such city or town, and making the same a part of the general fund of such city or town.

Senate File No. 221, by Senator Jones, a bill for an act legalizing the ordinances, resolutions and acts of the council of the incorporated town of Pacific Junction, in Mills county, Iowa, so far as affected by the election of six members of said council instead of five.

Senate File No. 226, by Senator Balluff, a bill for an act to repeal the law as it appears in section twenty-six hundred ninety-one (2691) and twenty-six hundred ninety-two (2692) of the Supplement to the Code, 1907, and to enact a substitute therefor to provide for the support of the Iowa soldiers' orphans' home.

Senate File No. 229, by Senator Neal, a bill for an act to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organizations and in the navy from Iowa during the civil war at a home coming during the state G. A. R. encampment at Des Moines, Iowa.

Senate File No. 230, by Senator Neal, a bill for an act to appropriate money to aid in paving East Washington street in the city of Mount Pleasant, Iowa.

Substitute for Senate File No. 231, by Senator Dunnegan, a bill for an act to amend the law as it appears in chapter eighty-three (83), acts of the Thirty-third (33rd) General Assembly relating to the issuance of bonds in cities and towns.

Senate File No. 233, by Senator Darrah, a bill for an act to provide for the election of delegates and alternate delegates to national conventions of political parties, for the election of party national committeemen and delegates to county conventions, and for a preferential vote on president and vice president of the United States (additional to chapter two-a, title six, Supplement to the Code, 1907, relating to primary elections, and for submitting to the voters of the several parties the question: "Shall the vote of the state at large or the vote of the congressional district control?"

Substitute for Senate File No. 236, by Senator Jones, a bill for an act making appropriations to the State Historical Society of Iowa.

Senate File No. 240, by Senator Gillette, a bill for an act to legalize deeds and instruments of conveyance, tax deeds, sheriffs' deeds, deeds of administrators, executors and guardians, and all other conveyances made and recorded prior to the first day of January, A. D. 1890, additional to chapter 6, title 14, of the Code relating to the conveyance of real estate.

Senate File No. 245, by Senator Dunnegan, a bill for an act to amend section eight hundred twenty (820) of the Code fixing time in which the city council or board of public works, where such board exists, shall ascertain the cost and prepare the assessment, plat and schedule relative to the special assessment of property for the making or reconstruction of street improvements.

Substitute for Senate File No. 249, by Senator Heald, a bill for an act amending section nineteen (19) and section thirty (30), chapter seventy-two (72) of the acts of the Thirty-fourth General Assembly providing additional rules and regulations for the operation of motor vehicles upon public highways within the state of Iowa.

Senate File No. 250, by Senator Hilsinger, a bill for an act to repeal sections two (2), six (6), seven (7), eight (8), eleven (11), fifteen (15), sixteen (16) and twenty-two (22) of chapter seventy-two (72) of the acts of the Thirty-fourth General Assembly, and to enact substitutes therefor relating to the registration and regulation of motor vehicles.

Substitute for Senate File No. 252, by Senator Neal, a bill for an act to amend the law as it appears in sections eighty-six (86), ninety-eight (98), one hundred fifteen (115) and two hundred eleven (211) of the Code, and section two hundred five (205), Supplement to the Code, 1907, relating to the compensation of the secretary of state, the auditor of state, the treasurer of state, the attorney general and the clerk of the supreme court.

Substitute for Senate File No. 254, by Senator Jones, a bill for an act to amend the law as the same appears in sections six hundred ninety-one (691) and six hundred ninety-two (692) of the Code relating to the jurisdiction in actions for the violation of city or town ordinances and providing for the transfer of cases from mayor's court to a justice of the peace court in certain cases.

Senate File No. 259, by Senator Jones, a bill for an act to repeal section twenty-three hundred eight-a (2308-a) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the payment of costs and expenses of non-resident insane patients.

Senate File No. 260, by Senator Jones, a bill for an act to amend section two thousand and eighty-five (2085) of the Supplement to the Code, 1907, relating to taxes in aid of railroads and in relation to the number of signatures of resident freeholders to petitions therefor in cities acting under special charter, and cities having a population of twenty-five thousand (25,000) or over.

Senate File No. 263, by Senator Perkins, a bill for an act to empower private cemetery associations to condemn land for additions to their cemeteries.

Senate File No. 265, by Senator McColl, a bill for an act providing for the deposit by state and savings banks with the treasurer of the United States of securities to secure postal savings deposits made in such banks under the provisions of the postal savings bank act.

Senate File No. 266, by Senator Spaulding, a bill for an act to amend the law as it appears in section seven hundred forty-one-o (741-o), Supplement to the Code, 1907, relating to the election of city hospital trustees.

Substitute for Senate File No. 267, by Senator White, a bill for an act to amend section two thousand seventy-seven-a (2077-a), Supplement to the Code, 1907, as amended by chapter one hundred twenty-five (125) of the acts of the Thirty-third General Assembly relating to the posting of bulletins at railway stations.

Senate File No. 275, by Senator Perkins, a bill for an act to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act.

Senate File No. 277, by Senator Sullivan, a bill for an act to authorize the use and expenditure of the sinking fund provided for in chapter five (5) of title V of the Code.

Senate File No. 279, by Senator Kimball, a bill for an act to repeal the law as it appears in section twenty-seven hundred twenty-four (2724) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to admission to the school for the deaf and to reports by county superintendents of deaf persons.

Senate File No. 280, by Senator Jones, a bill for an act providing for the employment of prisoners upon the highways of this state, or in the construction and improvement of any public works.

Senate File No. 287, by Senator Kimball, a bill for an act to amend section two hundred twenty-seven (227) of the Supplement to the Code, 1907, relating to the division of the state into judicial districts and increasing the number of district judges in the Fifteenth judicial district and providing for the appointment of a judge to fill the vacancy and for the election of a judge for the place at the next general election.

Senate File No. 289, by Senator Sullivan, a bill for an act to amend the law as it appears in section twenty-four hundred seventy-two (2472) of the Supplement to the Code, 1907, and section twenty-four hundred seventy-four (2474) of the Code, and to repeal section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, and chapter one hundred forty-four (144) of the acts of the Thirty-third (33rd) General Assembly amendatory to section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, and to enact a substitute therefor, all relating to the bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof.

Senate File No. 291, by Senator Francis, a bill for an act to legalize conveyances of real property by foreign executors or trustees under foreign wills where the provisions of section 3295 of the Code were not observed or complied with.

Senate File No. 294, by Senator Francis, a bill for an act to repeal section three thousand three hundred eight (3308) of the Code, and to enact a substitute therefor relating to release and discharge of liens by foreign administrators, executors and guardians.

Senate File No. 295, by Senator Francis, a bill for an act to amend the law as it appears in section nine (9), chapter one hundred fifty-three (153), acts of the Thirty-third General Assembly relating to the protection of fish and game, and to amend the law as it appears in chapter one hundred sixteen (116) of the acts of the Thirty-fourth General Assembly relating to the compensation of the fish and game warden.

Senate File No. 300, by Senator Francis, a bill for an act to legalize releases and discharges of judgments, mortgages and deeds of trust made by administrators, executors or guardians appointed in other states or countries where the provisions of section 3308 of the Code were not observed or complied with.

Senate File No. 302, by Senator Chase, a bill for an act to repeal the law as it appears in section nineteen hundred forty-eight (1948) of the Supplement to the Code, 1907, and to repeal the law as it appears in section nineteen hundred eighty-nine-a-fifteen (1989-a-15) of the Supplement to the Code, 1907, and to enact a substitute therefor, defining nuisances in construction of drainage ditches, and making the obstruction of such ditches and levees a misdemeanor.

Senate File No. 304, by Senator Ream, a bill for an act for the relief of the grantees of David E. Fry, and for the purpose of having patents issued in the names of W. F. Pomeroy and Arthur Dilley for certain tracts of land.

Senate File No. 309, by Senator Ream, a bill for an act to provide the method of constructing and operating gypsum mines, for escape shafts and for the ventilation of such mines; to provide for the inspection of the same by the state mine inspector; to require operators to report fatal accidents, and to provide penalties for violation of this act.

Senate File No. 311, by Senator Heald, a bill for an act to amend the law as it appears in section forty-nine hundred ninety-nine-a-four (4999-a-4) of the Supplement to the Code, 1907, providing for the safety and comfort of laborers and other persons assembled in factories and buildings.

Substitute for Senate File No. 315, by Senator Larrabee, a bill for an act providing for the securing of claims of sub-contractors who furnish labor or material for construction of drainage ditches, in addition to chapter two-a (2-a), title ten (10), Supplement to the Code, 1907.

Senate File No. 316, by Senator Webber, a bill for an act to legalize the adoption of certain propositions at an election of the county of Wapello, state of Iowa, with the effect of authorizing the board of supervisors of said county to purchase land for an addition to the county home farm of said county, and to incur indebtedness for the purchase of such land, and to levy a continuing annual tax to provide for the payment of such indebtedness.

Substitute for Senate File No. 325, by Senator Sullivan, a bill for an act to repeal section two thousand nine hundred thirty (2930), Supplement to the Code, 1907, relating to the platting and transferring of real estate.

Senate File No. 327, by Senator Boe, a bill for an act to amend section two thousand seventy-seven (2077) of the Supplement to the Code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state at which fairs or expositions may hereafter be held.

Senate File No. 328, by Senator Doran, a bill for an act to confirm the title of Anna L. Edgar to the west one-half (W½) of the southwest quarter (SW¼) of section two (2), township eighty-nine (89) north, range thirty-four (34), west of the 5th P. M., Iowa, and authorize the issuance of a patent therefor.

Senate File No. 329, by Senator Thomas, a bill for an act to establish a minimum wage for teachers in the public schools of the state, prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same.

Senate File No. 333, by Senator Balkema, a bill for an act providing for the license of certain classes of temporary or transient merchants doing business in cities or incorporated towns, defining the same and the manner of issuing licenses, regulating and advertising and representation of such merchants and providing for penalties for the violation thereof.

Senate File No. 334, by Senator Kimball, a bill for an act providing for the assessment of the cost of main sewers to the property within the territory drained and defining adjacent property relative thereto, and amending section eight hundred forty-d (840-d) of the Supplement to the Code, 1907, relating to the construction of main sewers and paying the cost thereof.

Senate File No. 348, by Senator Kimball, a bill for an act to repeal section two hundred twelve (212) of the Supplement to the Code, 1907, relating to the appointment of an assistant attorney general and to his salary, and to enact a substitute therefor.

Senate File No. 349, by Senator Dunnegan, a bill for an act to amend the law as it appears in section eight hundred twenty-five (825) of the Code relating to street improvements and sewers.

Senate File No. 351, by Senator Legel, a bill for an act to promote horticulture by the creation of new and better adapted varieties through scientific cross-breeding and selection, and to make an appropriation therefor.

Senate File No. 353, by Senator Chase, a bill for an act providing for the record title of lands granted to the Dubuque and Pacific Railroad Company.

Senate File No. 354, by Senator Sullivan, a bill for an act to amend the law as it appears in section thirty-five hundred thirty-four (3534) of the Code relating to service of original notice by publication.

Senate File No. 355, by Senator Sullivan, a bill for an act to amend the law as it appears in section four thousand nine hundred seventy-five-c (4975-c) of the Supplement to the Code, 1907, relating to soliciting for the purpose of prostitution.

Senate File No. 357, by Senator Smith, a bill for an act to amend chapter sixty-two (62) of the acts of the Thirty-fourth General Assembly by striking out the last four (4) lines of section one (1) of said chapter and enacting a substitute therefor relating to the exemption from taxation of property of an honorably discharged union soldier or sailor of the Mexican war or of the war of the rebellion or of the widow of such soldier or sailor.

Senate File No. 358, by Senator Smith, a bill for an act legalizing a resolution passed by the council of the city of Atlantic on February twenty-seventh (27th), nineteen hundred thirteen (1913), transferring the sum of eighteen hundred dollars ($1,800.00) from the sewer fund of said city to the general fund of said city of Atlantic, Iowa, and legalizing such transfer.

Senate File No. 360, by Senator McManus, a bill for an act to provide for the improvement of the water and harbor fronts of incorporated or chartered cities and towns situated on navigable waterways within or bordering on the state of Iowa; for the acquirement, construction, maintenance and operation of public docks, and for the acquirement by condemnation or otherwise of lands or rights or interest therein for same; to create a department to be administered by a board to carry on such work, and to regulate and control the construction, maintenance and operation of belt railways, wharves, docks, slips, quay walls, piers, basins, other water front lands or rights or interests therein in said cities and towns; to authorize the issuance and sale of bonds and to levy a tax for carrying out the above purposes.

Senate File No. 363, by Senator Kimball, a bill for an act for the purpose of having a patent issued in the name of T. F. McCaffery for a certain tract of land.

Senate File No. 367, by Senator Cowles, a bill for an act relating to levees, drains, ditches and water courses additional to chapter two (2), title X of the Code and amendments thereto, and to chapter two-a (2-a), title X, of the Supplement to the Code, 1907, and amendments thereto and amending section one thousand nine hundred eighty-nine-a-twenty-one (1989-a-21) and section one thousand nine hundred eighty-nine-a-fifty-two (1989-a52) of the supplement to the Code, 1907, and section one thousand nine hundred eighty-nine-a-forty-nine (1989-a-49) as amended by section seven (7), chapter eighty-seven (87), laws of the Thirty-fourth General Assembly.

Senate File No. 368, by Senator Darrah, a bill for an act to require the registration of charitable organizations soliciting public aid and providing penalty for the violations thereof.

Senate File No. 375, by Senator Sullivan, a bill for an act to amend section four thousand six hundred twelve (4612) of the Code relating to criminating questions propounded to witness in certain cases.

Senate File No. 376, by Senator Francis, a bill for an act to legalize ordinances of the town of Ayrshire, Iowa, and authorizing the substitution of a new ordinance record in place of the original record.

Senate File No. 378, by Senator Arney, a bill for an act to amend section twenty-one hundred and thirteen (2113) of the Supplement to the Code, 1907, as amended by chapter one hundred twenty-seven (127) of the acts of the Thirty-third General Assembly relating to the powers of the board of railroad commissioners.

Senate File No. 381, by Senator Smith, a bill for an act to repeal section five (5) of chapter ninety-four (94) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the duty of commerce council.

Senate File No. 383, by Senator McManus, a bill for an act to amend the law as it appears in chapter eleven-c (11-c) of title thirteen (XIII) of the Supplement to the Code, 1907, relating to the state sanatorium for the treatment of tuberculosis; to provide for the care of advanced cases in said sanatorium and making an appropriation therefor, and to repeal the law as it appears in section twenty-seven hundred twenty-seven-a-86 (2727-a-86) of the Supplement to the Code, 1907, and enact a substitute therefor requiring counties to pay for the care of patients in the sanitorium and making such patients and persons legally bound for their support liable to counties for money so paid.

Senate File No. 384, by Senator Garrett, a bill for an act to amend the law as it appears in sections four hundred ninety (490) of the Supplement to the Code, 1907, and four hundred ninety-one (491) of the Code, 1897, relating to the compensation of county treasurers and their deputies.

Senate File No. 387, by Senator Sullivan, a bill for an act to legalize the proceedings of the city council of the city of Des Moines, Iowa, for the construction of the seventh ward sewer system in said city.

Senate File No. 388, by Senator Sullivan, a bill for an act to legalize certain decrees of courts entered in actions to annul marriages, in which service of the original notice was made by publication.

Senate File No. 391, by Senator Sheean, a bill for an act to legalize the proceedings of the city council of the city of Tipton, Iowa, for the construction of a sewer system.

Substitute for Senate File No. 393, by Senator Arney, a bill for an act to amend section two (2) of chapter one hundred and ninety (190) laws of the thirty-third general assembly, relative to the library commission and traveling library.

Senate File No. 397, by Senator Balluff, a bill for an act to make section eight hundred seven (807) of the Code applicable to cities acting under special charter.

Senate File No. 398, by Senator Balluff, a bill for an act amending section nine hundred twenty-two (922) of the Supplement to the Code, 1907, relating to plats by auditor, providing that no such plats shall be made for real estate situated in cities acting under special charter.

Senate File No. 407, by Senator Kimball, a bill for an act to amend the law relating to the inspection of hotels, inns and lodging houses as the same appears in chapter one hundred sixty-eight (168) of the acts of the Thirty-third General Assembly.

Senate File No. 413, by Senator Cowles, a bill for an act to legalize the incorporation and acts and proceedings of Leopold Desk Company, of Burlington, Des Moines county, Iowa.

Substitute for Senate File No. 417, by Senator Darrah, a bill for an act providing for the election of United States senators by the vote of the people.

Senate File No. 418, by Senator Chase, a bill for an act to require the equipment and maintenance of sanitary closets at railway stations in this state, providing for the regulation and inspection thereof and fixing a penalty for violation of this act.

Substitute for Senate File No. 424, by Senator Chase, a bill for an act to regulate the levy and collection of special assessments in cities and towns and cities acting under special charter and cities under commission plan of government. (Amendatory to chapter seven (7), title five (V) of the Code.)

Senate File No. 426, by Senator Heald, a bill for an act to repeal section three hundred thirteen (313) of the Code, and to enact a substitute therefor relating to the admission to the practice of law in this state of attorneys having been duly admitted to practice in other states.

Senate File No. 427, by Senator Heald, a bill for an act to amend section seven hundred fifty-one (751) of the Code relating to streets and public grounds.

Senate File No. 435, by Senator Sullivan, a bill for an act authorizing the issue of flood protection bonds by cities of the first class and cities acting under the commission plan of government.

Senate File No. 436, by Senator Sullivan, a bill for an act granting additional powers to cities organized under the commission plan of government, and amending section one (1) of chapter sixty-seven (67), laws of the Thirty-third General Assembly.

Senate File No. 439, by Committee on Highways, a bill for an act to create a state highway commission, and to provide for the appointment, term of office, compensation, powers and duties of such commission; to provide for the removal of the members of said commission; to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township and other officers and employes with reference thereto; to fix the rights of parties contracting with reference to such work; to repeal section two thousand six hundred seventy-four-f (2674-f) of the Supplement to the Code, 1907, relating to highway commission, and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly relating to the county road building fund, and to repeal all acts and parts of acts in conflict with this act.

Senate File No. 446, by Senator Chase, a bill for an act to amend section four (4) of chapter sixty-three (63), acts of the Thirty-fourth General Assembly, relating to assessment of stocks of national, state and savings banks.

Senate File No. 448, by Senator Crist, a bill for an act for the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick for a certain tract of land.

Senate File No. 451, by Senator Fellows, a bill for an act granting additional powers to the executive council.

Senate File No. 452, by Senator Mattes, a bill for an act to amend the law relating to the compensation of members of the General Assembly as the same appears in section twelve (12) of the Code, as amended by chapter one (1) of the acts of the Thirty-fourth General Assembly.

Senate File No. 465, by Senator Sullivan, a bill for an act to legalize the special election held in the city of Valley Junction, Iowa, on the 14th day of March, 1913, wherein there was submitted to the voters of said city the question of purchasing or erecting and establishing a water works and electric light power plant, and also the question of the issuance of bonds in a sum not to exceed $65,000.00 for water works and electric light and power plant purposes, and to validate and legalize the proceedings of the city council had in relation to said special election preliminary to the holding thereof, and to legalize the ballots used at said general election; the acts of the election boards in the conduct of said election and in making the returns thereof; the action of the city council in canvassing the returns of said election and declaring the result thereof, and to legalize the bonds to be issued in pursuance thereof.

Senate File No. 466, by Committee on Board of Control and its Institutions, a bill for an act to authorize the board of supervisors of each county in this state to make provision for the segregation, care and support of indigent persons afflicted with pulmonary tuberculosis in advanced stages.

Senate File No. 467, by Senator Farr, a bill for an act to prohibit the removal or destruction of articles or things placed in public highways for the purpose of guarding or inclosing unsafe places therein and providing penalties for a violation thereof.

Senate File No. 471, by Senator Farr, a bill for an act to amend the law as it appears in section two hundred ninety-eight (298) of the Supplement to the Code, 1907, as amended by chapter sixteen (16) of the acts of the Thirty-third General Assembly relating to the compensation of clerks of the district court and their deputies.

Senate File No. 474, by Senator McColl, a bill for an act to amend the law as it appears in an act passed by the Thirty-fifth (35th) General Assembly and approved on the 20th day of March, A. D. 1913, and entitled "A bill for an act additional to chapter five (5), title ten (10) of the Code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same."

Senate File No. 477, by Committee on Appropriations, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contests in the nineteenth (19) senatorial district of Iowa and in the forty-sixth (46) senatorial district of Iowa, and to pay sundry persons for services, mileage and other expenses incurred in connection with said election contests.

Senate File No. 482, by Senator Sullivan, a bill for an act to confer additional powers upon certain cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the Supplement to the Code, 1907, providing for the levy and collection of a special tax for the purchase and maintenance of apparatus and equipment for use in police service in the department of public safety.

Senate File No. 483, by Senator Sullivan, a bill for an act to confer certain powers on cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa, as the same appears in chapter fourteen-c (14-c) of title five of the Supplement to the Code, 1907, providing for the levy and collection of a special tax for the purchase, equipment, construction and maintenance of a garbage disposal plant.

Senate File No. 486, by Senator Chase, a bill for an act to legalize the passage, adoption and publication of the ordinances of the incorporated town of Rowan, Wright county, Iowa.

Senate File No. 488, by Senator Fellows, a bill for an act to amend the law as it appears in section ten hundred ninety-three (1093), Supplement to the Code, 1907, relating to election boards.

Senate File No. 491, by Senator Larrabee, a bill for an act making special provision for the enforcement of sanitary conditions by the state board of health upon complaint made by five (5) or more citizens.

Senate File No. 507, by Committee on Agriculture, a bill for an act to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa state college of agriculture and mechanic arts under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory and manufacturing of hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations, and to repeal chapter one hundred fifty-one (151) of the acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) of the acts of the Thirty-fourth General Assembly.

Senate File No. 508, by Senator Clarkson, a bill for an act to amend section eight hundred thirty-six (836) of the Code in reference to reassessment for local improvements.

Senate File No. 510, by Senator Gillette, a bill for an act to amend the law as it appears in chapter ninety-three (93) of the acts of the Thirty-third General Assembly relative to the establishment of road districts for state lands and providing for the payment of the cost of maintaining roads therein and the collection of road poll tax within such districts.

Senate File No. 513, by Senator Francis, a bill for an act to amend the law as it appears in section two thousand five hundred seventy-eight-b (2578-b) of the Supplement to the Code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses.

Senate File No.516, by Senator Hilsinger, a bill for an act to legalize a certain election held January 13, 1913, in town of Miles, Jackson county, Iowa.

Substitute for Senate File No. 517, by Senator Allen, a bill for an act repealing section 2024-i, Supplement to the Code, 1907, and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material accessible for general use for road improvement and providing punishment for use of said material for other than road purposes.

Senate File No. 520, by Senator Balluff, a bill for an act to legalize ordinances, resolutions and amendments to ordinances and resolutions passed and adopted by and the acts of the town council of the town of Buffalo, Scott county, Iowa, since the passage of an act relating to the organization of cities and towns, and known as chapter twenty-six (26) of the acts of the Thirty-second (32) General Assembly of the state of Iowa.

Senate File No. 522, by Senator Cowles, a bill for an act to establish an insurance department, providing for an insurance commissioner, defining his duties, fixing his compensation and determining his term of office.

Senate File No. 531, by Senator Thomas, a bill for an act to provide for the registration of highway routes, together with the names, color combinations and designs used in marking the same; prohibiting the duplications thereof, and providing penalties for the violation of this act.

Senate File No. 536, by Committee on Highways, a bill for an act to amend the law as it appears in section thirty-three (33), chapter seventy-two (72), acts of the Thirty-fourth General Assembly, providing for the expenditure of registration fees of motor vehicles.

Senate File No. 537, by Committee on Judiciary, a bill for an act to legalize certain warrants of the town of Milford, Iowa.

Senate File No. 539, by Committee on Suppression of Intemperance, a bill for an act to amend section twenty four hundred forty-eight, paragraph nine (2448-9) of the Supplement to the Code, 1907, regulating the hours of the day during which liquor may be sold in saloons.

Senate File No. 540, by Committee on Judiciary, a bill for an act to legalize a special election of the city of Cedar Falls, Iowa, held March 10th, 1913, for the acquiring of a municipal electric light and power plant, and voting bonds therefor, and the resolutions and acts of the city council relating to such electric light and power plant.

Senate File No. 546, by Committee on Judiciary, a bill for an act to enable benefited property to aid in the construction of trolley or electric railroads or the electrification of steam railroads, being additional to chapter five (5) of title ten (10) of the Code, as amended.

Senate File No. 547, by Committee on Judiciary, a bill for an act amending the law as it appears in section twenty-nine hundred-a twenty-three (2900-a23) of the Supplement to the Code, 1907, authorizing the executive council to lease lands belonging to the state of Iowa.

Senate File No. 548, by Committee on Judiciary, a bill for an act to legalize the issuance of $18,000.00 sewer outlet and disposal or purifying plant bonds of the city of Valley Junction, issued on the 3rd day of February, A. D. 1913, and secured by special taxes levied and pledged to the payment of said bonds and interest.

Senate File No. 550, by Committee on Appropriations, a bill for an act providing for the levy of special taxes upon the assessed valuation of the taxable property of the state for the erection and improvement of buildings, for appurtenances and connections for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for feeble minded children, state sanatorium for the treatment of tuberculosis, state industrial schools, state hospitals, penitentiary, reformatory, state colony for epileptics, Iowa industrial reformatory for females and district custodial farm, and for the purchase of land and to develop and maintain industries, and repealing acts and parts of acts in conflict with this act.

Senate File No. 551, by Sifting Committee, a bill for an act to amend the law relating to the investment of the funds of life insurance companies and associations as the same appears in section eighteen hundred six (1806), Supplement to the Code, 1907.

Senate File No. 552, by Sifting Committee, a bill for an act to amend the law relating to the taking of private property for works of internal improvement as the same appears in section twenty hundred twenty-four-d (2024-d), Supplement to the Code, 1907.

Senate File No. 553, by Committee on Appropriations, a bill for an act making an appropriation for carrying out the provisions of Senate File No. 491.

Senate File No. 554, by Sifting Committee, a bill for an act to amend the law as it appears in section two thousand nine (2009) of the Code relating to appeals from the action of the commissioners in assessing damages where private property is taken for works of internal improvement.

Senate File No. 555, by Ways and Means Committee, a bill for an act amending chapter two hundred one (201) of the laws of the Thirty-fourth General Assembly relating to plans and specifications and estimates of cost of buildings under the control of the board of education.

Senate File No. 556, by Sifting Committee, a bill for an act to amend an act passed by the Thirty-fifth General Assembly and approved on the 3d day of April, 1913, and entitled "A bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission; to provide for the removal of the members of said commission; to create a system of county and township road, bridge and culvert construction and maintenance and to prescribe

the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township and other officers and employes with reference thereto; to fix the rights of parties contracting with reference to such work; to repeal section twenty-six hundred seventy-four-f (2674-f), Supplement to the Code, 1907, relating to highway commission, and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly relating to county road building fund and to repeal all acts and parts of acts in conflict with this act."

Senate File No. 557, by Committee on Appropriations, a bill for an act making an emergency appropriation for the Iowa state college of agriculture and mechanic arts.

Senate File No. 558, by Sifting Committee, a bill for an act to provide for the transfer of judges from one judicial district to another in certain cases.

Senate File No. 559, by Sifting Committee, a bill for an act for the purpose of having a patent issued in the name of Charles Martin for a certain tract of land.

Senate File No. 560, by Sifting Committee, a bill for an act relating to injuries sustained by employes which occur prior to the taking effect of an act enacted by the Thirty-fifth General Assembly relating to employers' liability for injuries sustained by employes while in line of duty.

Senate File No. 561, by Sifting Committee, a bill for an act legalizing the acts of the city council, clerk and treasurer of the city of Belle Plaines, Iowa, relating to overdrafts upon the general fund, water fund, bond fund, city improvement fund, water and sewer fund and sewer outlet fund.

Senate File No. 562, by Appropriations Committee, a bill for an act to make appropriation for the payment of state and judicial officers, state and other expenses.

Senate File No. 564, by Ways and Means Committee, a bill for an act to provide for the general levy for state purposes for the years nineteen hundred and thirteen (1913) and nineteen hundred and fourteen (1914).

Senate Joint Resolution No. 1, by Joint Committee on Extra Help, relating to the selection of additional employes of the Thirty-fifth General Assembly, fixing their compensation and defining their duties.

Senate Joint Resolution No. 10, by Senator Allen, referring house joint resolution No. six (6), relating to the amendment proposed to section one (1) of article two (2) of the Constitution of the state of Iowa to the Thirty-sixth General Assembly.

Senate Joint Resolution No. 14, by Committee on Ways and Means, approving estimates of cost, plans and specifications for buildings at the state university, the state college of agriculture and mechanic arts and the state teachers' college; approving estimates of cost, plans and specifications for the erection of new buildings at the state university, at the state college of agriculture and mechanic arts, and at the state teachers' college; approving estimates of cost, plans and specifications for the erection of a gymnasium, reconstruction of roof of medical laboratory, changes in chemical laboratory, warehouse, tunnel to currier hall, kitchen for hospital at the state university, a chemistry building, agricultural laboratories, transportation laboratory, animal husbandry laboratories at the state college of agriculture and mechanic arts, a dormitory for women and a manual training building at the state teachers' college.

Senate Joint Resolution No. 15, by Committee on Appropriations, fixing the number and compensation of employes in the department of state at the seat of government.

Joint Resolution No. 16, by Senator Clarkson, authorizing and directing the secretary of state to publish, in pamphlet form, Senate File No. 3, known as the workmen's compensation act.

BILLS AND JOINT RESOLUTIONS

Passed by the Thirty-fifth General Assembly

Titles of laws enacted and joint resolutions passed by the Thirty-fifth General Assembly to April 19, 1913.

A. C. GUSTAFSON,
Chief Clerk.

HOUSE BILLS.

House File No. 1, by Kingland of Winnebago, a bill for an act to amend the law as it appears in sections ten hundred eighty-seven-a-ten (1087-a10), ten hundred eighty-seven-a-twenty-two (1087-a22), and ten hundred eighty-seven-a-twenty-seven (1087-a27), of the supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the thirty-third (33d) general assembly, section eleven hundred six (1106) of the supplement to the code, 1907, and sections eleven hundred fifty (1150), eleven hundred fifty-one (1151), eleven hundred fifty-seven (1157), and eleven hundred sixty-two (1162), of the code, and repealing chapter one (1) of the acts of the special session of the thirty-second (32d) general assembly, and enacting a substitute therefor, all relating to the nomination of candidates for the office of senator in the congress of the United States and of the canvass of the vote for senator in the congress of the United States, and providing for nominations for such office in case of vacancy.

House File No. 3, by Bingham of Emmet, a bill for an act to amend section 732 of the supplement to the code, 1907, in relation to library funds and transfer thereof.

House File No. 5, by Klay of Sioux, a bill for an act providing for the non-partisan nomination and election of judges of the supreme, district and superior courts of Iowa.

House File No. 6, by Lund of Hamilton, a bill for an act to amend section twenty-eight hundred forty-nine (2849) of the supplement to the code, 1907, relative to school loans.

House File No. 11, by Shankland of Polk, a bill for an act to amend section two hundred fifty-four a 20 (254-a20) of the supplement to the code, 1907, providing for the maintenance of dependent children whose mothers are widows.

House File No. 12, by Jensen of Pocahontas, a bill for an act to amend the law as it appears in section two thousand six hundred thirty-four-f (2634-f) of the supplement to the code, 1907, relating to the acceptance of graduation from institutions of higher learning as evidence that a teacher possesses the scholarship and professional fitness for a state certificate.

House File No. 17, by Ring of Linn, a bill for an act giving school boards in certain districts authority to use school grounds as public recreation and playgrounds and providing for the levy of separate tax for the support of same, and authorizing cities within such districts to appropriate money for the same purpose. Additional to chapter fourteen (14), title thirteen (XIII) of the code.

House File No. 20, by Griffin of Woodbury, a bill for an act to grant power to cities now or hereafter having a population of twenty-five thousand or over and organized under chapter fourteen-C (14-C), of title five (5), of the supplement to the code, 1907, and amendments thereto, to assume charge, custody and control of all trees and shrubbery and the planting and maintenance thereof on the public streets and to provide for the payment of the costs thereof.

House File No. 22, by Boettger of Scott, a bill for an act to repeal section three thousand one hundred sixty-five (3165) of the code and to enact a substitute in lieu thereof, relating to liability for family expenses.

House File No. 23, by Whitney of Woodbury, a bill for an act to provide for the appointment of clerk of the supreme court, and reporter of the supreme court, to fix the term of office of such officials, and to repeal section one thousand sixty-seven (1067) of the code.

House File No. 30, by Boettger of Scott, a bill for an act to amend section twenty-seven hundred twenty-seven C (2727 C) of the supplement to the code, 1907, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home at Davenport.

House File No. 31, by Boettger of Scott, a bill for an act to repeal section six hundred seventy four (674) of the supplement to the code 1907, and to enact a substitute therefor relating to the compensation of assessors in cities and towns.

House File No. 33, by Miller of Bremer, a bill for an act to establish legal weights and measures, to provide for the inspection of the same, to punish the keeping or use of false or incorrect weights and measures, to provide for statements of net weight placing the enforcement in charge of the dairy and food commissioner and to repeal acts in conflict with this act.

House File No. 34, by Black of Muscatine, a bill for an act to amend section seven hundred forty-one-d (741-d) of the supplement to the code, 1907, relating to the power to erect a city hall and to purchase the ground therefor in certain cities.

House File No. 36, by McHose of Boone, a bill for an act to amend section eight hundred fifty-a (850-a) of the supplement to the code, 1907, relating to the election of park commissioners, and providing for the appointment of park commissioners until the next regular municipal election.

House File No. 40, by Elwood of Howard, a bill for an act making it unlawful for any candidate for any office to promise support or influence in behalf of another for any position, place or office in consideration of any other person supporting him, and providing a penalty thereof.

House File No. 42, by Hazen of Pottawattamie, an act to amend the law as it appears in section 850-c of the supplement to the code, 1907, as amended by chapters 56 and 57 of the acts of the 33d general assembly and chapter 44 of the acts of the 34th general assembly relating to the tax levy for park purposes:

House File No. 44, by Huff of Hardin, a bill for an act to amend section six hundred sixteen (616) of the code relative to taxation of unplatted lands within the limits of cities and towns.

House File No. 47, by Hunt of Harrison, a bill for an act to authorize the incorporation in each county of the state of an association for the advancement and improvement of agriculture, animal husbandry and horticulture, to define the powers and rights of such association and its members, to provide for the submission to the voters of the question of levying a tax in aid of the objects of such association and to provide for the termination of said tax.

House File No. 48, by Greene of Clinton, a bill for an act to amend section six hundred fifteen (615) of the supplement to the code, 1907, relative to the extension of the limits of cities and towns.

House File No. 49, by Scholz of Clayton, a bill for an act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the state dairy and food commissioner in relation thereto.

House File No. 53, by Whitney of Woodbury, a bill for an act to repeal paragraph sixteen (16) of section five hundred eleven (511) of the supplement to the code, 1907, as amended by chapter thirty-six (36) of the acts of the thirty-third general assembly and to enact a substitute therefor relating to the boarding and lodging of prisoners.

House File No. 54, by Whitney of Woodbury, a bill for an act providing for the sanitation of bakeries, canneries, packing houses, slaughter houses, dairies, creameries, cheese factories, confectioners, restaurants, hotels, groceries, meat markets, and all other food-producing establishments, manufactories, or other places where food is prepared, manufactured, packed, stored, sold or distributed, and vehicles in which food is placed for transportation; providing for the licensing of persons, firms, or corporations operating or conducting bakeries, candy factories, ice cream factories, canning factories, slaughter-houses, meat markets or places where fresh meats are sold at retail; fixing such license fee and the duration of such license and the rights thereunder; defining food, regulating the wholesomeness of food manufactured, prepared, packed, stored, sold, distributed or transported; defining the duties of the state food and dairy commissioner in relation thereto; providing penalties for the violation thereof, and repealing acts in conflict therewith.

House File No. 55, by Anderson of Montgomery, a bill for an act to amend section one thousand eighty-seven-a-10 (1087-a-10) of the supplement to the code, 1907, relating to nomination papers.

House File No. 58, by Bartle of Scott, a bill for an act to amend section eleven hundred eighty-two (1182) of the code, relating to the giving of bonds by public officers and requiring that bonds be given by county supervisors.

House File No. 66, by Kulp of Palo Alto, a bill for an act to amend the law as it appears in sections 1989-a-19, 1989-a-27, and 1989-a-38, of the supplement to the code, 1907, and section 16 of chapter 118 of the acts of the thirty-third general assembly, section 5 of chapter 24 of the acts of the thirty-fourth general assembly, and chapter 120 of the acts of the thirty-third general assembly, relating to assessments for benefits to roads, streets, and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued.

House File No. 69, by Whitney of Woodbury, a bill for an act to authorize the repayment to the estate of W. R. Benton of money paid to the state of Iowa.

House File No. 78, by Stutt of Jones, a bill for an act to amend the law as it appears in section twenty-one hundred and fifty-seven-s (2157-s) supplement to the code, 1907, relating to the transportation of live stock.

House File No. 85, by Stipe of Page, a bill for an act to repeal section five thousand twenty-eight-b (5028-b) of the supplement to the code, 1907, and chapter two hundred twenty-two (222), laws of the thirty-third general assembly amendatory thereof, and to enact a substitute therefor relating to unfair discriminations in any commodity of commerce between different sections, localities, communities, cities or towns.

House File No. 86, by Griffin of Woodbury, a bill for an act to amend section two hundred twenty-seven (227) of the supplement to the code, 1907, as amended by the thirty-fourth general assembly, and to provide for an additional judicial district and an additional judge for the fourth judicial district.

House File No. 90, by Boettger of Scott, a bill for an act to repeal section five (5) of chapter sixty-one (61) of the acts of the thirty-third general assembly, as amended by chapter fifty (50) of the acts of the thirty-fourth general assembly, and to enact a substitute therefor relating to pensions for disabled and retired firemen.

House File No. 93, by Enger of Winneshiek, a bill for an act to repeal chapter one hundred and forty-six (146) of the acts of the thirty-fourth general assembly, and to enact a substitute therefor, relating to high school tuition.

House File No. 105, by Newcomb of Adams, a bill for an act to provide for the payment of bounties for killing crows.

House File No. 108, by Hazen of Pottawattamie, a bill for an act to prohibit the sale, keeping for sale, loaning, giving away or carrying of certain dangerous weapons, to prevent the carrying of concealed weapons, except in specified cases when a permit is issued therefor; to provide punishment for the violation of the provisions hereof.

House File No. 110, by Shankland of Polk, a bill for an act to provide for the nomination of district judges in judicial districts composed wholly of one county and having a population of 75,000 or more at the primary election.

House File No. 115, by McVicker of Wright, a bill for an act creating cities, including cities under commission form of government, incorporated towns, and civil townships wholly outside of any city or incorporated town, trustees for funds bequeathed or donated for the permanent maintenance of property within cemeteries; and to amend the law as it appears in section two hundred fifty-four-a-twelve (254-a-12) of the supplement to the code, 1907, relating to the appointment of trustees by the district court to manage, control, and invest cemetery funds; and to amend the law as it appears in section seven hundred forty (740) of the supplement to the code, 1907, and as amended by chapter forty-seven (47) of the acts of the thirty-third general assembly, relating to the maintenance of certain institutions of benevolence, including hospitals.

House File No. 119, by Erickson of Lyon, by request, a bill for an act to amend chapter twenty-five of the laws of the thirty-fourth general assembly, relative to the dependent soldiers' and sailors' tax.

House File No. 124, by Blackford of Henry, a bill for an act to indemnify H. C. Jackson for personal injury sustained by him while employed as head farmer at the state hospital at Mt. Pleasant, Iowa.

House File No. 127, by Lounsberry of Marshall, a bill for an act to amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code, 1907, in regard to the qualifications of certain officers of the soldiers' home.

House File No. 131, by Sidey of Adair, a bill for an act to amend the law as it appears in section seven hundred twenty-four (724), supplement to the code 1907, and in section eight hundred ninety-four (894), supplement to the code 1907 relating to the powers of cities and towns.

House File No. 132, by Pickford of Cerro Gordo, a bill for an act to provide state aid to consolidated schools equipped with two or more rooms and making an appropriation therefor.

House File No. 134, by McVicker of Wright, a bill for an act to amend the law as it appears in paragraph eight (8) of section eight hundred and ninety-four (894) of the supplement to the code, 1907, relating to the levy of special taxes by cities.

House File No. 135, by Sherman of Poweshiek, a bill for an act to amend the law as it appears in chapter sixty-four (64) of the acts of the thirty-third (33d) general assembly as amended by chapters fifty-two (52) fifty-four (54) and fifty-five (55) of the acts of the thirty-fourth (34th) general assembly relating to the government of certain cities.

House File No. 138, by Elliott of Monona, a bill for an act to legalize certain warrants of the city of Onawa, Iowa.

House File No. 143, by Cole of Hancock, a bill for an act to repeal the law as it appears in section twenty-five hundred sixty-four (2564) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the state board of health.

House File No. 149, by Grout of Black Hawk, a bill for an act to amend the law as it appears in section ten hundred and fifty-six-a-nine (1056-a-9) of the supplement to the code, 1907, relating to municipal accounting of cities and towns.

House File No. 155, by Lund of Hamilton, a bill for an act amending sections three thousand one hundred forty six (3146) and three thousand one hundred forty-seven (3147) of the Code, relative to the time for making return of solemnization of marriage.

House File No. 158, by Klay of Sioux, a bill for an act to repeal section three thousand seven hundred and five (3705) of the code, and to enact a substitute in lieu thereof relative to the instructions of the district court.

House File No. 160, by Klay of Sioux, a bill for an act to repeal sections one hundred ninety-three (193) and one hundred ninety-four (194) of the code and to enact a substitute therefor providing for an increase in the number of judges in the supreme court of Iowa and providing for a division of said court into sections, and to amend section ten hundred sixty-six (1066) of the supplement to the code, 1907, in reference to the selection of the chief justice of said court.

House File No. 162, by Enger of Winneshiek, a bill for an act to legalize the special election held in the town of Calmar, Iowa, on the 16th day of October, 1911, wherein there was submitted to the voters of said town the question of issuing bonds in the sum of five thousand dollars ($5,000.00) for the purpose of erecting a system of gas-works and to validate and legalize the bonds issued in pursuance of said election.

House File No. 169, by Huntley of Lucas, a bill for an act to amend division two of section twenty-four hundred forty-eight (2448) of supplement to the code, 1907, relating to the limits within which intoxicating liquors may be sold.

House File No. 170, by Huntley of Lucas, a bill for an act to encourage the dairy and beef growing industries of the state of Iowa and to aid in providing instruction in practical and scientific methods and making an appropriation therefor.

House File No. 175, by Kulp of Palo Alto, a bill for an act to amend section 2732 of chapter 12, title XIII of the supplement to the code, 1907, and section 2772 of the code, regulating the conduct of pupils of the public schools and forbidding the use of tobacco by such pupils.

House File No. 177, by Lounsberry of Marshall, a bill for an act to legalize certain acts of the mayor and city council of the city of Marshalltown, and to legalize certain warrants of the said city of Marshalltown, Iowa.

House File No. 179, by Kane of Dubuque, a bill for an act authorizing the recording of transcripts from recorder's office of instruments affecting real estate. (Additional to chapter 6, title 14 of the code relating to conveyances of real estate.)

House File No. 189, by Dawson of Cherokee, a bill for an act legalizing and curing the acts and proceedings of the incorporated town of Aurelia and the town council of the said incorporated town, in the county of Cherokee and state of Iowa, in relation to the establishment, erection, maintenance and operation of a system of water works and a gas plant and the issuance of bonds and warrants of said town in payment thereof, and authorizing the town council of said town to issue bonds for the purpose of taking up its floating indebtedness represented by its bonds and warrants.

House File No. 192, by Doze of Wayne, a bill for an act to amend the law as it appears in section three thousand four hundred forty-seven, (2447) of the code, relating to the limitation of actions to set aside wills.

House File No. 200, by Shankland of Polk, a bill for an act to amend section one (1) of chapter one hundred sixty-one (161), of the laws of the thirty-fourth general assembly relating to the foreclosure of real estate mortgages.

House File No. 201, by Hansen of Shelby, a bill for an act establishing the state colony for epileptics and making provision for the purchase of land and the erection of buildings for said colony.

House File No. 206, by Burt of Taylor, by request, a bill for an act to legalize the ordinances of the town of New Market, Taylor county, Iowa.

House File No. 207, by Larrabee of Fayette, a bill for an act making appropriations for the state university, the Iowa state teachers' college, the college for the blind, the Iowa state college of agriculture and mechanic arts.

House File No. 212, by Sidey of Adair, a bill for an act to amend the law as it appears in section seven hundred twenty (720) supplement to the code, 1907, as amended by chapter forty-four (44) acts of the thirty-third (33) general assembly, and chapter thirty-four (34) acts of the thirty-fourth (34) general assembly and to authorize cities and towns to enter into contracts to purchase heat, gas, and electric current, and to sell the same.

House File No. 220, by Halgrims of Humboldt, a bill for an act to amend section three (3), chapter one hundred seventy-four (174), laws of the thirty-fourth (34th) general assembly, relating to the misbranding of foods.

House File No. 223, by Hutchins of Kossuth, a bill for an act to amend section sixteen hundred fifty-seven-n (1657-n), supplement to the code, 1907, relative to the compensation of the secretary of the department of agriculture.

House File No. 224, by Greene of Clinton, a bill for an act to amend section 1989-a41 of the supplement of the code, 1907, and amendments thereto relative to the compensation to be paid appraisers of damages and commissioners of drainage districts.

House File No. 226, by Pickford of Cerro Gordo, a bill for an act to amend section sixteen hundred and sixty (1660) of the supplement to the code, 1907, to aid county agricultural societies.

House File No. 235, by Burt of Taylor, an act to legalize certain warrants of the city of Bedford, Iowa.

House File No. 241, by Stipe of Page, a bill for an act to repeal section two thousand five hundred and seventy-five A-52 (2575-a-52) of the supplement of the code, 1907, and to enact a substitute therefore, making annual appropriations for carrying on the work of the state entomologist.

House File No. 247, by Halgrims of Humboldt, a bill for an act to declare certain diseases, contagious and infectious, and to provide rules and regulations for the control of the same, and to fix punishment for violation thereof.

House File No. 249, by Hazen of Pottawattamie, a bill for an act making an appropriation to reimburse certain employes of the Iowa school for the deaf for loss of wearing apparel by fire at said school on the 23d day of April, 1911.

House File No. 259, by Dixon of Sac, a bill for an act creating the office of state examiners for counties, fixing their compensation, duties, terms of office and method of appointment, providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, reports and audits for counties, and providing penalties for violations of this act.

House File No. 260, by White of Benton, a bill for an act to amend section two thousand seven hundred twenty-seven-C (2727-C) of chapter eleven-A (11-A) of the supplement to the code, 1907, relating to college for blind.

House File No. 261, by Atkinson of Butler, a bill for an act to amend section twenty-eight hundred and fourteen (2814) of the supplement to the code, 1907, relative to the acquisition of school sites.

House File No. 265, by Lund of Hamilton, a bill for an act to repeal section twenty-one (21) and to amend section twenty-four (24) of chapter one hundred thirty-one (131) of the acts of the thirty-third general assembly, relating to the powers and duties of the sheriff, and providing for the payment of the officers and men of the national guard.

House File No. 266, by Lund of Hamilton, a bill for an act to amend sections twenty-six (26) and forty-three (43) of chapter one hundred thirty-one (131) of the acts of the thirty-third general assembly, relating to armory rent and making an appropriation therefor.

House File No. 278, by Grout of Black Hawk, a bill for an act to amend the law as it appears in section twenty-four hundred twenty-eight (2428), of the code, relating to the duties of peace officers.

House File No. 288, by Sherman of Poweshiek, a bill for an act to make an appropriation for the payment of the expenses of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance at the final hearing in the case before the interstate commerce commission involving general advancement in rates.

House File No. 290, by Elliott of Monona, a bill for an act to amend section six hundred ninety-six (696) of the supplement to the code, 1907, relating to the prevention of nuisances and the regulation of slaughter houses and other such places by cities and towns and making said section applicable to cities acting under special charter.

House File No. 291, by Stipe of Page, a bill for an act to amend section five thousand and forty a (5040-a) of the supplement to the code, 1907, relating to the proper observance of Decoration day.

House File No. 293, by Halgrims of Humboldt, a bill for an act to legalize the incorporation of Humboldt State Bank, Humboldt, Iowa.

House File No. 298, by Kulp of Palo Alto, a bill for an act relating to elevators and warehouses, coal sheds, ice houses, buying stations, flour mills and other buildings on railroad land, and prescribing methods and conditions of procuring and holding sites therefor, and liability for loss or destruction thereof.

House File No. 300, by Griffin of Woodbury, a bill for an act to amend the law as it appears in section four thousand seven hundred and ninety-nine-A (4799-A) of the supplement to the code, 1907, relating to burglary with explosives.

House File No. 303, by Huff of Hardin, a bill for an act to require all persons, partnerships, companies or corporations owning or operating a railway in this state, to equip the cab of all locomotive engines with frost glass in front of the seat of the engineer and fireman of said engine, and providing a penalty for the violation thereof.

House File No. 304, by Huff of Hardin, a bill for an act to amend chapter one hundred eighty-four (184), of the acts of the thirty fourth (34th) general assembly relative to the suspension of the execution of the sentence of certain convicts of first conviction.

House File No. 306, by Newcomb of Adams, a bill for an act to amend sections seven hundred thirty-two (732), and eight hundred ninety-four (894), of the supplement to the code, 1907, relative to the levying of taxes for public libraries.

House File No. 312, by Koontz of Johnson, a bill for an act to confer certain powers on cities organized under the commission form of government and on cities having a population of five thousand (5000) or more organized under chapter two (2) of title five (5) of the code, and cities organized under special charter, relating to the organization, equipment and operations of fire departments and providing for the levy and collection of a special tax for the use and benefit of such fire departments and granting power to anticipate said tax to issue fire fund certificates or bonds.

House File No. 313, by Koontz of Johnson, a bill for an act to legalize certain warrants of the city of Iowa City, Iowa.

House File No. 323, by Grout of Black Hawk, a bill for an act to repeal section five thousand twenty-eight-a (5028-a) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the prevention and punishment of the desecration, mutilation or improper use of the flag of the United States of America and the flag of the state of Iowa.

House File No. 326, by Brockway of Louisa, a bill for an act making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission.

House File No. 335, by Bernbrock of Black Hawk, a bill for an act to amend the law as it appears in sub-division five (5) section one thousand seven hundred and nine (1709) of the supplement to the code, 1907, relating to health, accident and liability insurance.

House File No. 336, by Doze of Wayne, a bill for an act authorizing the issue of a patent to the southeast quarter (se 1-4) of the southeast quarter (se1-4) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M.

House File No. 337, by Doze of Wayne, a bill for an act authorizing the issue of a patent to the northeast quarter (ne 1-4) of the southeast quarter (se 1-4) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M.

House File No. 338, by Newcomb of Adams, a bill for an act to amend section one (1) of chapter one hundred eighty-three (183) of the acts of the thirty-fourth general assembly, defining vagrancy.

House File No. 340, by Barry of Linn, a bill for an act to amend the law as it appears in sections ten hundred seventy-two (1072), twenty-seven hundred forty-two (2742), and twelve hundred seventy-two (1272), supplement to the code, 1907, relating to the office of county superintendent of schools; to repeal section twenty-seven hundred thirty-four-b (2734-b), supplement to the code, 1907, relating to the office of county superintendent of schools and to provide for the election, qualification, duties and compensation of a county superintendent of schools.

House File No. 343, by Hunt of Harrison, a bill for an act to legalize an election held in the town of Modale, Iowa, March 25, 1912, in electing councilmen; and to legalize the acts of the council of said town in filling vacancies in said council.

House File No. 346, by Bruce of Floyd, a bill for an act to repeal section thirty-five thousand forty-three (3543) and to enact a substitute in lieu thereof relative to the filing of a lis pendens.

House File No. 347, by Bruce of Floyd, a bill for an act to amend section thirty-five hundred thirty-four (2534) of the code, relating to service by publication when an affidavit is filed that personal service cannot be made on defendant within this state.

House File No. 349, by Peterson of Cass, a bill for an act to amend the law as it appears in section seven (7) of chapter one hundred sixty-nine (169) of the acts of the thirty-third general assembly, relating to the compensation of the state bee inspector, and to make an appropriation therefor.

House File No. 350, by Halgrims of Humboldt, a bill for an act to amend section twenty seven hundred thirty-four-P (2734-p) supplement to the code, 1907, relating to qualifications of teachers.

House File No. 356, by Jones of Dickinson, a bill for an act to amend section four thousand eight hundred twenty-three (4823) of the code pertaining to malicious mischief and trespass.

House File No. 358, by Bernbrock of Black Hawk, a bill for an act to repeal section four hundred ninety-five (495) of the supplement to the code, 1907, and to enact a substitute therefor, relating to the duties and compensation of county recorder.

House File No. 361, by Ring of Linn, a bill for an act to repeal section two thousand twenty-two (2022) of the supplement to the code, 1907, and to enact a substitute therefor, providing for private crossing over railroads and giving the board of railroad commissioners power to make orders when the land owner and railroad company are unable to agree.

House File No. 362, by Townsend of Tama, a bill for an act to amend the law as it appears in section twenty-six hundred twenty-two (2622), supplement to the code, 1907, and to repeal the law as it appears in section twenty-seven hundred thirty-eight (2738), supplement to the code, 1907, as amended by chapter one hundred thirty (130), acts of the thirty-fourth general assembly, and to enact a substitute therefor, relating to normal institutes.

House File No. 375, by Boettger of Scott, a bill for an act to authorize the sale and conveyance of that part of the west half (w1-2) of the southwest quarter (sw 1-4) of section numbered nineteen (19) in township numbered seventy-eight (78) north of range numbered four (4) east of the fifth principal meridian bounded by lines described as follows: Commencing at a point in the east boundary line of said west half (w1-2) of the southwest quarter (sw1-4) twenty-three 12-100 (23.12) chains north of the southeast corner of said west half (w 1-2) of the southwest quarter (sw 1-4), thence running west five (5) chains, thence north nine (9) chains, thence east five (5) chains to said east boundary line, thence south along said boundary line to the place of beginning, subject to recorded highway reservations.

House File No. 380, by Whitney of Woodbury, a bill for an act to fix and declare the liability of persons, firms or private corporations, entering into contracts with the state of Iowa, or with any county, city, town, city organized under special charter, school corporation or with any municipal corporation now existing or hereafter created and to provide for immunity to witnesses in proceedings to establish such liability, and to fix and declare the measure of damages for violation of this act.

House File No. 384, by Chapman of Guthrie, a bill for an act to amend the law as it appears in section six hundred thirty-nine (639) of the code relating to the classes of cities and towns.

House File No. 385, by McHose of Boone, a bill for an act to legalize an ordinance of the incorporated town of Sheldahl, Iowa, granting a franchise to Boone Electric Company, to erect, maintain, and operate an electric power plant in said town.

House File No. 391, by Grout of Black Hawk, a bill for an act to amend the law as it appears in section two hundred and twenty-seven (227) of the supplement to the code, 1907, relative to judicial districts and the number of judges therein and to provide for three judges in the tenth district.

House File No. 404, by Hamilton of Lee, a bill for an act to amend section eight hundred sixteen (816) of the code relating to lien of tax.

House File No. 407, by committee on Retrenchment and Reform, a bill for an act repealing section one hundred and seventy-d (170-d) of the supplement to the code, 1907, and to enact a substitute in lieu thereof requiring all boards, commissions, departments, and officers of state to turn into the state treasury all fees collected.

House File No. 408, by Burt of Taylor, by request, a bill for an act to legalize certain conveyances and other instruments of writing affecting real estate.

House File No. 412, by Kulp of Palo Alto, a bill for an act to amend sections nine (9) and thirteen (13) of chapter one hundred eighteen (118) of the acts of the thirty-third general assembly in relation to actions involving drainage districts.

House File No. 413, by Milton of Cedar, a bill for an act to amend the law as it appears in section twenty-eight hundred six (2806), supplement to the code, 1907, and chapter one hundred eighty-two (182), of the acts of the thirty-third general assembly relating to school taxes and to increase the amount that may be levied in the teachers' fund and the contingent fund.

House File No. 417, by Elwood of Howard, a bill for an act amending chapter one hundred fifty-seven (157) of the acts of the thirty-fourth general assembly relative to legalizing certain conveyances by foreign administrators and executors; regulating the proof of titles to real property and legalizing certain instruments and proceedings as against defects arising prior to 1900; legalizing certain proceedings and instruments when of record ten (10) years and regulating proof of title as affected by such defects; legalizing certain instruments executed by executors, administrators, trustees, guardians, referees and commissioners prior to 1910; declaring certain bonds and contracts for deeds void; giving certain assignments the same force and effect as a deed of conveyance; providing that pending litigation shall not be affected by the provisions of this act and giving claimants one (1) year in which to commence actions and barring their rights thereafter.

House File No. 418, by Munro of Washington, a bill for an act to repeal section ten (10) of chapter twenty-six (26) acts of the thirty-third (33d) general assembly, and to enact a substitute therefor, relating to the maintenance of county hospitals.

House File No. 424, by Downey of Crawford, a bill for an act to amend section two thousand seventeen (2017) of the code, relating to the right of railroad companies to raise or lower highways where they are crossed by railroads, and giving the board of railroad commissioners authority to order undergrade or overhead crossings.

House File No. 431, by Shankland of Polk, a bill for an act to repeal section eight hundred fifty-c (850-c) of the supplement to the code, 1907, as amended by chapter fifty-seven (57) of the acts of the thirty-third general assembly relative to the tax levy for park purposes, and to enact a substitute therefor.

House File No. 440, by Craig of Madison, a bill for an act to amend the law as it appears in section three thousand four hundred and forty-seven (3447) of the code, and to fix the time within which certain actions for the recovery of real estate may be brought.

House File No. 446, by Townsend of Tama, a bill for an act enabling the board of directors of the independent school districts of Tama, Iowa, to compensate a member for services as superintendent of schools.

House File No. 451, by Hamilton of Lee, a bill for an act to amend the law as it appears in section thirteen hundred and four (1304) of the supplement to the code, 1907, as amended by chapter 81 of the acts of the thirty third general assembly and chapter 61 of the acts of the thirty fourth general assembly, relating to exemptions of different classes of property.

House File No. 456, by Boettger of Scott, a bill for an act authorizing cities and towns, including those acting under special charter and cities under the commission form of government, to adopt a building code and to provide penalties for violation thereof.

House File No. 458, by Ring of Linn, a bill for an act to promote patriotism and to provide for the display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state.

House File No. 460, by McHose of Boone, a bill for an act submitting the creation of the county of Larrabee to the legal voters of the county of Kossuth, Iowa.

House File No. 461, by Webb of Cass, a bill for an act to amend the law relating to the destruction of weeds as it appears in sections three (3) and four (4) of chapter ninety-six (96) of the acts of the thirty-third general assembly.

House File No. 464, by Stipe of Page, a bill for an act to repeal sections seven hundred twenty-nine-a (729-a), five hundred ninety-two-a (592-a) and seven forty-one-n (741-n), supplement to the code, 1907, and to enact substitutes therefor; to amend sections four hundred twenty-two (422), supplement to the code, 1907; and section twenty-eight hundred six (2806) of the code; all relating to the benefits of free public libraries and to confer additional powers upon boards of library trustees, township trustees, boards of county supervisors, boards of school directors, and city and town councils, in relation thereto.

House File No. 466, by Lounsberry of Marshall, a bill for an act to repeal section four thousand eight hundred ninety-seven-a (4897-a) of the supplement to the code, 1907, and to enact a substitute relating to escapes from the penitentiary and reformatory, including violations of parole.

House File No. 474, by Whitney of Woodbury, a bill for an act to amend section six hundred and ninety-four-a (694-a) of the supplement to the code 1907, relating to membership fees and dues in league of Iowa municipalities.

House File No. 476, by Trumbauer of Keokuk, a bill for an act to amend section one (1) of chapter forty-three (43) acts of the thirty-fourth general assembly relating to street improvements in towns, and to the levy of special taxes therefor.

House File No. 481, by Helming of Allamakee, a bill for an act to amend the law as it appears in section twenty-three hundred fifty-eight (2358) of the code, relating to partition fences.

House File No. 484, by Stipe of Page, a bill for an act to amend section two thousand one hundred and sixteen (2116) of the supplement to the code, 1907, as amended by chapter one hundred twenty-eight (128) acts of the thirty-third general assembly, and to define what is reasonable passenger service on certain lines of railroads.

House File No. 488, by Buxton of Warren, a bill for an act to repeal section four hundred seventy-five (475) of the code and an act to substitute therefor relating to the criminal statistics to be kept by the county auditor and the reporting of same by the county auditor to the clerk of the district court.

House File No. 489, by Buxton of Warren, a bill for an act to repeal section two hundred ninety-three (293) of the code, and chapter three (3) of the acts of the thirty-third general assembly, and to enact a substitute therefor relating to the keeping of criminal statistics by the clerk of the district court and the reporting of same to the board of parole.

House File No. 490, by Milton of Cedar, a bill for an act to regulate the passing of automobiles or other vehicles by another traveling in the same direction.

House File No. 493, by Jensen of Pocahontas, a bill for an act to prohibit fraudulent advertising, and providing a penalty therefor.

House File No. 505, by Mitchell of Wapello, a bill for an act to amend section two thousand five hundred forty (2540) supplement to the code, 1907, and chapter one hundred fifty-three (153), acts of the 33d general assembly, relating to season during which fish may be taken.

House File No. 506, by Lenocker of Pottawattamie, a bill for an act to amend section one thousand nine hundred eighty-nine-a-thirteen (1989-a-13) of the supplement to the code, 1907, as amended by chapter one hundred eighteen (118) of the acts of the thirty-third general assembly, relating to the use of drainage warrants in the payment of drainage assessments.

House File No. 509, by Boettger of Scott, a bill for an act to repeal section one (1) of chapter forty-nine (49) of the acts of the thirty-fourth general assembly relating to the improvement of water fronts in cities acting under special charter and enacting a substitute therefor and to amend section two (2) of chapter forty-nine (49) of the acts of the thirty-fourth general assembly relating to the levee improvement commission in such cities.

House File No. 513, by Peterson of Cass, a bill for an act to prohibit the importation of diseased bees.

House File No. 514, by Chapman of Guthrie, a bill for an act to amend house file ninety-three (93) of the acts of the thirty-fifth general assembly, relating to the payment of tuition of pupils attending high school located in other districts.

House File No. 515, by Townsend of Tama, a bill for an act to amend section thirteen hundred four (1304) of the supplement to the code,

1907, as amended by chapter sixty-one (61) of the acts of the thirty-fourth general assembly relating to the exemption of certain classes of property from taxation.

House File No. 517, by Committee on Roads and Highways, a bill for an act to authorize the governor to direct the attorney general to appear in certain cases, for and on behalf of the counties, cities, towns, and other municipalities and officers and contractors thereof and to employ legal assistance in such cases and providing for payment therefor.

House File No. 518, by Huff of Hardin, a bill for an act providing for the entry of an order by the district court requiring a person in this state to attend and give testimony in a criminal action pending in another state after a petition has been filed in the office of the clerk of said court, and the person given an opportunity to be heard in opposition thereto, and providing punishment for failing to do so.

House File No. 519, by White of Benton, a bill for an act to amend section one hundred eighty-one (181) of the code relating to joint committee on retrenchment and reform.

House File No. 524, by Koontz of Johnson, a bill for an act to authorize and empower the governor of the state of Iowa to issue a land patent attested by the secretary of state, to Albert Husa, conveying certain real estate in Johnson county, Iowa, more particularly described as lot seven (7), block fifty-five (55), Iowa City, Iowa.

House File No. 525, by Koontz of Johnson, a bill for an act to authorize and empower the governor of the state of Iowa to issue land patent attested by the secretary of state to and in favor of John Vesely, conveying certain real estate located in Johnson county, Iowa, and described more particularly as lot six (6), block nine (9), county seat of Johnson county, Iowa.

House File No. 526, by Crozier of Marion, a bill for an act to amend section four thousand six hundred and twenty-three (4623) of the code relating to books of account as evidence.

House File No. 535, by Brady of Dallas, a bill for an act to prevent fraud in the manufacturer and sale of commercial fertilizers, providing for licensing of such products and making provisions for enforcement.

House File No. 546, by Whitney of Woodbury, a bill for an act to provide for the terms of court in the fourth and twenty-first judicial districts.

House File No. 547, by Peterson of Cass by request, a bill for an act to amend the law as it appears in section twenty-five hundred ninety-four (2594) of the code relating to licensing itinerant vendors of drugs.

House File No. 548, by Ring of Linn, a bill for an act to amend section one (1) of chapter one hundred eighty-four (184) of the acts of the thirty-third general assembly as amended by section one (1) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly, and to amend section two (2) of chapter one hundred eighty-four (184) of the acts of the thirty-third general assembly as amended by section two (2) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly, relative to the limit of indebtedness of independent school districts.

House File No. 552, by Klay of Sioux, a bill for an act authorizing and empowering the joint committee on retrenchment and reform to employ expert accountants and efficiency engineers, to institute reform, and making an appropriation therefor.

House File No. 553, by Huff of Hardin, a bill for an act to repeal section three thousand five hundred thirty-eight (3538) of the code, and to enact a substitute therefor, relative to the bringing of actions against unknown defendants.

House File No. 554, by Greene of Clinton, a bill for an act to amend the law as it appears in section six hundred sixty-nine (669) of the supplement to the code, 1907, relating to the compensation of councilmen when acting as members of the board of review.

House File No. 564, by Lund of Hamilton, a bill for an act making provisions for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines river, improvement grant as school lands.

House File No. 574, by Klay of Sioux, a bill for an act to repeal section five hundred forty-nine (549) of the code and to enact a substitute therefor, relating to the publication of notices.

House File No. 575, by Klay of Sioux, a bill for an act to provide for the restoration of lost or destroyed public records.

House File No. 583, by Atkinson of Butler, a bill for an act to amend the law as it appears in section thirty-three hundred forty-eight (3348) of the code relating to the payment of claims against the estates of decedents.

House File No. 588, by Black of Muscatine, a bill for an act to amend section twenty-five hundred forty (2540) of the supplement to the code, 1907, as amended by chapter one hundred fifty-three (153) of the acts of the thirty third general assembly, relating to the taking of fish by the use of spear, except during certain months.

House File No. 591, by Mitchell of Wapello, a bill for an act specifying qualifications for county attorneys additional to chapter nine (9), title three (3) of the code.

House File No. 592, by Crozier of Marion, a bill for an act to repeal the law as it appears in section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1907, and to enact a substitute therefor in regard to bringing into certain state institutions and other places where inmates may lawfully be, drugs or liquors, or weapons, explosive or other article for use in making or attempting an escape.

House File No. 595, by Griffin of Woodbury, a bill for an act to repeal section three thousand ninety-three (3093) of the code, and to enact a substitute therefor relating to subcontractor's mechanics' liens and the liability of the owner of a building or structure to the principal contractor and the subcontractor.

House File No. 608, by Grout of Black Hawk by request, a bill for an act to amend the law as it appears in sections eight hundred seventy-nine-d (879-d), and eight hundred seventy-nine-g (879-g), supplement to the code, 1907, and to repeal section eight hundred seventy-nine-o (879-o), supplement to the code, 1907, relative to the powers and duties of river front improvement commissioners.

House File No. 611, by Power of Jefferson, a bill for an act authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employes, providing the powers, duties and compensation of such board and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making appropriation therefor.

House File No. 613, by Trumbauer of Keokuk, a bill for an act to amend section four thousand eight hundred fifty two-d (4852-d) supplement to the code, 1907, relating to larceny of poultry.

House File No. 633, by Buxton of Warren, a bill for an act to amend section twenty-four (24) chapter sixty-eight (68) of the acts of the thirty-fourth general assembly, relating to the payment of collateral inheritance tax.

House File No. 641, by Halgrims of Humboldt, a bill for an act to repeal the law as it appears in chapter one hundred twenty-nine (129) of the acts of the thirty-fourth general assembly, and to enact a substitute therefor relating to the prevention of the procreation of criminals, rapists, idiots, feeble-minded, imbeciles, lunatics, drunkards, drug fiends, epileptics, syphilitics, moral and sexual perverts, and diseased and degenerate persons.

House File No. 646, by Committee on Municipal Corporations, a bill for an act granting to cities of all classes and towns power to license and regulate plumbers: to determine the qualifications and provide for the examination thereof: to prescribe rules and regulations for the installation of plumbing and the inspection thereof and to provide for the removal of plumbing installed in violation of the manner prescribed and to impose penalties for a violation of ordinances enacted under this act and to amend section seven hundred (700) of the supplement to the code, 1907.

House File No. 647, by Committee on Claims, a bill for an act for the relief of M. O. Clemens for personal injuries sustained by him while employed as engineer in the state sanitarium for the treatment of tuberculosis at Oakdale, Iowa.

House File No. 650, by Committee on Public Health, a bill for an act to amend the law as it appears in section twenty-five hundred eighty-three-c (2583-c), supplement to the code, 1907, relating to the practice of osteopathy.

House File No. 651, by Committee on Public Health, a bill for an act to amend the law as it appears in sections twenty-five hundred seventy-six (2576) and twenty-five hundred seventy-eight-a (2578-a) supplement to the code, 1907, relating to the practice of medicine.

House File No. 652, by Committee on Judiciary, a bill for an act to legalize the act of the electors of the city of Osceola, Iowa, in voting for the issuance of bonds in aid of improvement and extension of city water works.

House File No. 653, by Committee on Fish and Game, a bill for an act to repeal section three (3) of chapter one hundred eighteen (118) of the acts of the thirty-fourth general assembly, providing for the distraint of deer; and to enact a substitute therefor.

House File No. 657, by Committee on Judiciary, a bill for an act to legalize decrees obtained prior to January 1, 1911, where the proof of the publication of an original notice was made by the editor of the newspaper in which the original notice was published.

House File No. 658, by Committee on Judiciary, a bill for an act to legalize the platting of an addition to the town of Kensett, Iowa, executed by Mrs. Marget Lukason, deceased, dated March 21, 1898, and filed for record in the office of the recorder of Worth county, Iowa, April 9, 1898.

House File No. 666, by Committee on Schools and Text Books, a bill for an act to amend section twenty-seven hundred sixty-one (2761) of the code relating to the duties of secretaries of school boards.

House File No. 667, by Committee on Schools and Text Books, a bill for an act to amend section one (1) of chapter one hundred forty-five (145) acts of the thirty-fourth general assembly, relative to the limit of indebtedness of independent school districts.

House File No. 668, by Committee on Insurance, a bill for an act to amend division one (1) section seventeen hundred nine (1709) supplement to the code, 1907, as amended by chapter eighteen (18) acts of the thirty-fourth (34th) general assembly, relating to kinds of insurance that may be written.

House File No. 669, by Committee on Appropriations, a bill for an act to provide for the levy of a special tax upon the assessed valuation of the taxable property of the state for a period of ten years for the purchase of real estate for the extension and for the improvement of the state capitol grounds: to define the limits of said extension: to authorize the purchase by executive council of all grounds within said limits: to adopt a plan for the location of buildings, monuments, etc., on said extended ground, and to provide for the sale of certain real estate known as "Governor Square."

House File No. 670, by Committee on Board of Control, a bill for an act to repeal section twenty-six hundred six (2606) of the supplement to the code, 1907, and to enact a substitute therefor relating to admission to soldiers' home.

House File No. 671, by Committee on Domestic Manufactures, a bill for an act to authorize the construction of a business men's coliseum and convention hall over the Cedar river in the city of Waterloo, Iowa.

House File No. 673, by Committee on Roads and Highways, a bill for an act to prohibit public officers or deputies from divulging any part of the contents of sealed bids and to fix and declare the liquidated damages inuring in favor of municipal corporations by reason of the violation of such prohibition.

House File No. 675, by Committee on Public Health, a bill for an act to amend the law relating to the levy of taxes for the support of cemeteries as the same appears in chapter thirty-eight (38) of the acts of the thirty-third general assembly, amendatory to sections five hundred eighty-six (586) and eight hundred ninety-four (894) supplement to the code, 1907.

House File No. 677, by Sifting Committee, a bill for an act to legalize the regular city election of the city of Winterset, Iowa, held on the 31st day of March, A. D. 1913, and to legalize a certain franchise, and the ratification thereof by the voters at such election, granted by the said city of Winterset to the Winterset mutual telephone company.

House File No. 682, by Sifting Committee, a bill for an act to amend section thirty-one hundred thirty-eight (3138) of the supplement to the code, 1907, as amended by chapter one hundred ninety-five (195) of the acts of the thirty third general assembly relating to the care of property belonging to guests of hotels and inns and to the lien of hotel and innkeepers thereon.

House File No. 684, by Sifting Committee, a bill for an act to amend section four hundred ninety-one (491) of the code, relative to deputy and clerk hire in the office of treasurer of counties containing a population of less than ten thousand.

House File No. 685, by Sifting Committee, a bill for an act to amend the law relating to fire escapes as the same appears in section forty-nine hundred ninety-nine-a seven (4999-a7) supplement to the code, 1907.

House File No. 687, by Committee on Schools and Text Books, a bill for an act to repeal sections twenty-eight hundred twenty-three-j (2823-j), twenty-eight hundred twenty-three-k (2823-k), twenty-eight hundred twenty-three-l (2823-l), and twenty-eight hundred twenty-three-m (2823-m), supplement to the code, 1907, and enact a substitute therefor relating to the publication and distribution of school laws.

House File No. 691, by Sifting Committee, a bill for an act providing that on and after July 1, 1913, all annual appropriations made to the state university, the Iowa state college of agriculture and mechanic arts, the Iowa state teachers college and the college for the blind shall be paid in monthly installments.

House File No. 693, by Sifting Committee, a bill for an act to confirm the title of Jacob Arnold to the south half of the southwest quarter of section No. 20, township No. 85, north, range No. 30, west 5th P. M. Greene county, Iowa, and authorizing the issuance of a patent therefor.

House File No. 694, by Sifting Committee, a bill for an act to legalize the incorporation of the town of Lattners, Dubuque county, Iowa.

House File No. 695, by Sifting Committee, a bill for an act to create in each township a special culvert fund for the year of 1913, to defray the cost of culverts constructed by the board of supervisors during 1913 upon the township road system.

House File No. 698, by Sifting Committee, a bill for an act to amend the law as the same appears in chapter two (2) acts of the thirty-fourth general assembly authorizing the executive council to pay court costs taxed to or other expenses incurred by the state in any suit or proceeding instituted by or against any of the state departments.

House File No. 700, by Committee on Appropriations, a bill for an act for the levy of a special tax upon the taxable property of the state for the purpose of creating a fund for the further equipment and support of extension work, experimentation, collegiate and non-collegiate courses of study at the Iowa state college of agriculture and mechanic arts.

HOUSE JOINT RESOLUTIONS.

House Joint Resolution No. 3, by Whitney of Woodbury, a joint resolution proposing an amendment to the constitution of the state of Iowa, repealing section seven (7) of article two (2) of said constitution and proposing a substitute therefor, relating to and providing for the time of holding general elections.

House Joint Resolution No. 4, by Klay of Sioux, a joint resolution proposing an amendment to the constitution of the state of Iowa, authorizing the General Assembly to provide for the exclusive taxation of classes of property for state revenue purposes.

House Joint Resolution No. 5, by Kulp of Palo Alto, a joint resolution to amend the constitution relating to legislative authority; providing for the initiative and referendum with reference to the enactment of laws, or laws enacted by the general assembly, and amendments to the constitution.

House Joint Resolution No. 6, by Bruce of Floyd, joint resolution proposing an amendment to the constitution of the state of Iowa by repealing section one (1) of article two (2) of said constitution and the enactment and adoption of a substitute therefor, relating to the right of suffrage.

House Joint Resolution No. 7, by Bruce of Floyd, a joint resolution and enactment ratifying the amendment to the constitution of the United States, proposed by the congress of the United States relating to the selection of senators in the congress of the United States.

Joint Resolution No. 9, by Klay of Sioux, authorizing the joint committee on retrenchment and reform to employ expert accountants and efficiency enginers, to institute reform, and appropriating funds therefor.

House Joint Resolution No. 10, by Clark of Monroe, a House joint resolution amending senate joint resolution No. 1 of the thirty-fifth (35th) general assembly relating to the compensation of additional employes of the thirty fifth general assembly.

House Joint Resolution No. 16, by Committee on Appropriations, approving estimate of cost, plans and specifications for buildings and improvements at the soldiers' orphans' home, school for the deaf, institute for feeble minded children, state sanatorium for the treatment of tuberculosis, industrial school for boys, Mount Pleasant state hospital for insane, Independence state hospital for insane, Clarinda state hospital for insane, Cherokee state hospital for insane, state hospital for inebriates, state penitentiary and state reformatory.

SENATE BILLS

INTRODUCTION AND ACTION

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1—By Thomas. To provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.
Introduced and referred..... 103
Report substitute 1112
Made special order.....1224
Made special order.....1378
Considered 1471-1476
Substitute adopted 1476
Amended 1476-1477
Passed 1477
House amends and passed...2541
Senate concurs 2543-2544
Enrolled 2550-2552
Signed ... .2555
Sent to governor 2558

2—By Thomas. To provide for the representation of the state of Iowa at the Panama-Pacific International Exposition to be held at San Francisco, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.
Introduced and referred.... 103
Reported unfavorably 1868
Indefinitely postponed..2124-2125

3—By Clarkson. To provide, secure and pay compensation for employes who sustain personal injury while in line of duty.
Introduced and referred.... 103
Motion to report.....1464
Reported with amendments and referred..1521-1522 to 1529
Amendments adopted 1528
Made special order.....1528
Referred 1528
Considered 1637
Considered 1685
Amendments offered 1685
Made special order 1685
Substitute offered 1814-1817
Made special order.....1817
Considered 1892-1896
Amended .....1897 to 1901
Consideration postponed.....1901
Amendments offered.....1902
Amendments offered..... 1931-1932-1933
Amended 1932, 1933, 1934-1935-1936-1937-1938
Printed in journal as amended and made special order.1938
Amended .....2010 to 2015
Passed ... .2015
Title amended 2017
Motion to reconsider and lay on table 2017
House amends and passes...2352
Considered 2353
Senate concurs 2354-2355
Enrolled 2445-2448
Signed 2452
Sent to governor.....2459

4—By Clarkson. To amend section twenty-eight hundred thirteen (2813), supplement to the code, 1907, relating to certifying estimates and levying taxes therefor in school districts for the payment of principal and interest of bonded indebtedness. ..
Introduced and referred.... 103
Reported with amendments.. 201
Amended 209
Made special order..... 209
Considered 237
Amended 237
Passed 238
Title amended 238
House amends and passes... 414
Senate refuses to concur in house amendments 418
House insists, appoints conference committee 437
House insists on its amendments 436
Conference committee 436
Conference committee report substitute 557
Motion to reconsider..... 558
Passed 584-585
Passed house 630
Enrolled 680
Signed 687
Sent to governor 687

5—By Clarkson. To amend section ten hundred eighty-seven-a-ten (1087-a-10) of the supplement to the code of 1907, and to amend section eleven hundred-six (1106) of the code of Iowa, relative to the expression of the choice of the people for United States Senator. ..
Introduced and referred.... 103
Reported unfavorably 1010
Indefinitely postponed 1011

6—By Clarkson. To amend section one (1), chapter one hundred six (106), Acts of the Thirty-fourth General Assembly, relating to the appointment of mine inspector.
Introduced and referred.... 103
Reported with amendments.. 371
Amendments adopted 386
Lost on passage..... 387
Motion to reconsider....,484-485

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Amended 559
Passed 560
House amends and passes...1474
Considered 1501
Senate refuses to concur....2103
House recedes 2194
Enrolled 2343-2384
Signed 2386
Sent to governor.....2387

7—By Doran. Providing for the production and distribution of vaccines, toxine and biological products necessary for the diagnosis, prevention or cure of animal diseases within the state, and repealing chapter one hundred fifty-one (151), act of the Thirty-third General Assembly, and chapter one hundred fourteen (114), act of the Thirty-fourth General Assembly.
Introduced and referred.... 103
Returned and referred.....2088

8—By Francis. Amending the law as it appears in section ten hundred eighty-seven a-ten (1087 a-10), ten hundren eighty-seven a-twenty-two (1087 a-22), and ten hundred eighty-seven a-twenty-seven (1087 a-27), of the 1907 Supplement to the Code as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, relating to the nomination of Senators and Representatives in the general assembly of the state of Iowa, and the nomination of party candidates for the office of Senator in the congress of the United States, and providing for a vote at the regular election upon such party candidates for Senator.
Introduced and referred.... 104
Reported unfavorably 1010
Indefinitely postponed 1010

9—By Heald. To repeal paragraphs sixteen (16) of section five hundred eleven (511) of the supplement to the code, 1907, as amended by chapter thirty-six (36) of the acts of the thirty-third general assembly relating to the boarding and lodging of prisoners.
Introduced and referred.... 104

10—By Balluff. To repeal paragraph thirty (30) of section two hundred ninety-six (296) of the supplement to the code, 1907, and to repeal chapter fourteen of the acts of the Thirty-fourth (34th) General Assembly, and to enact a substitute therefor, relating to the fees to be collected and paid to the clerk of the district court in certain cases.
Introduced and referred.... 147
Reported unfavorably 664
Indefinitely postponed 665

11—By Balluff. To repeal section one thousand eighty-seven-a-7 (1037-a-7) of the supplement to the code, 1907, and to enact a substitute therefor, relating to party declarations of voters at primary elections.
Introduced and referred..147-148
Reported unfavorably 607
Indefinitely postponed 607

12—By Balluff. To repeal section four thousand two hundred sixty-one (4261) of the code relating to the taxing of attorney's fees in partition suits, and enacting a substitute therefor, providing for the taxing of attorney's fees as costs in actions for partition and for actions to quiet title in connection therewith.
Introduced and referred.... 148
Reported unfavorably 256
Indefinitely postponed 256

13—By Balluff. To repeal section three hundred sixty-four (364) of the code, relating to the investment of money and to enact a substitute therefor.
Introduced and referred.... 148
Reported 236
Referred 236
Substitute reported 473
Substitute adopted 486-487
Passed 487
House amends and passes...1252
Senate refuses to concur in house amendment 1259
House insists conference committee 1327
Senate appoints conference committee 1338
Conference committee reports 1450
Amended and passed.....1452
House adopts report of conference committee, also substitute 1518
Enrolled 1611-1609
Signed 1633
Sent to governor.....1696

14—By Balluff. To amend chapter two hundred (200) of the acts of the Thirty-third General Assembly relating to the administration of the estates of absentees.
Introduced and referred.... 148
Reported with amendments.. 728
Amendments adopted 813
Passed 813
Passed house 1360
Enrolled 1467-1468
Signed 1471
Sent to governor.....1476

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15—By Balluff. To amend section eight (8) of chapter eighty-two (82) of the acts of the Thirty-fourth General Assembly relating to the registration of motor vehicles.
Introduced and referred.... 148
Returned and referred.....2030

16—By Balluff. To repeal section three thousand three hundred sixty-six (3366) of the code and to enact a substitute therefor, relating to the share of surviving spouse.
Introduced and referred.... 148
Substitute reported 1040
Substitute adopted 1162
Passed 1162-1163
Passed house 1708
Enrolled 1836-1838
Signed 1902
Sent to governor.....1908

17—By Balluff. To repeal section five thousand ninety-seven (5097) of the code and to enact a substitute therefor defining magistrates and limiting the jurisdiction of certain of such magistrates.
Introduced and referred..148-149
Report substitute 729
Substitute adopted 813
Passed 814

18—By Balluff. To amend section nine hundred thirty-seven (937) of the code, relating to the filling of vacancies in the office of alderman in cities under special charters.
Introduced and referred.... 149
Reported with amendments... 224
Amendments adopted 235
Passed 236
Passed house 414
Enrolled 467-468-480
Signed 489
Sent to the governor..... 490

19—By Crow. To prohibit and punish marriage, adultery, or voluntary sexual intercourse between white persons and negroes; to define negroes and to prohibit and punish the issuance of marriage licenses to and the solemnization of marriages between the persons prohibited by the act; additional to chapter 1 of title XVI of the code.
Introduced and referred.... 149
Reported unfavorably 332
Indefinitely postponed 374
Motion to reconsider..... 375
Indefinitely postponed 403

20—By Crow. To amend section three hundred seventy-three (373) of chapter thirteen (13) of the law as to notaries public so that the term will hereinafter be for five (5) years instead of three (3).
Introduced and referred.... 149
Reported unfavorably 256
Indefinitely postponed 256

21—By Wilson of Clinton. To repeal section 1869 of the supplement of the code of 1907, and to enact a substitute therefor, providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for a violation of the provisions of the law.
Introduced and referred.... 149
Reported 395
Considered 418
Amended 420
Motion to reconsider filed... 421
Made special order.....429-430
Amended 472
Passed 473
House amends and passes...1396
Senate concurs 1401
Enrolled 1463-1469
Signed 1471
Sent to governor.....1496

22—By Sullivan. To amend section seven hundred and seventy-seven (777) of the code relating to temporary sidewalks.
Introduced and referred.... 149
Reported unfavorably 399
Indefinitely postponed 400

23—By Sullivan. To provide for widows who are the mothers of dependent children.
Introduced and referred..... 150
Withdrawn 169
Referred 169
Returned and referred.....2030

24—By Francis. To indemnify Clara Bahls for personal injury sustained by her while at work in the laundry while attending the Institution for the Deaf and Dumb at Council Bluffs, Iowa.
Introduced and referred.... 150
Reported 393
Substitute reported 393-394
Referred 394
Reported with amendments.. 603
Amended and passed.....661-662
House amends by substitute and passes 1028
Considered 1334
Senate concurs 1219-1220
Enrolled 1350-1352
Signed 1372
Sent to governor.....1392

25—By Francis. In relation to assessments for benefits to roads, streets and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and

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drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued, being amendatory to the law as it appears in sections 1989-a-19, 1989-a-26, 1989-a-27, and 1989-a-38 of the supplement to the code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-fourth General Assembly, and chapter 120 of the acts of the Thirty-third General Assembly.
Introduced and referred.... 150
Reported with amendments.. 285
Rereferred 373
Reported unfavorably 874
Indefinitely postponed 874

26—By Francis. Creating county agricultural high schools, providing for their management, control and operation, and creating a county board of education for their management, and making provision for the support of said schools.
Introduced and referred..... 150
Returned and referred.....1975

27—By Schrup. To require all railroad companies owning railroads in the state of Iowa, of less than four (4) feet, eight and one-half (8 1-2) inches gauge, to adopt such gauge within such reasonable time as may be fixed by the railroad commissioners.
Introduced and referred.... 150
Report substitute.....1330
Substitute adopted 1577
Amended 1578
Passed 1578
Passed house 1708
Enrolled 1836-1838
Signed 1902
Sent to governor.....1907

23—By Neal. Making an appropriation of five hundred dollars for Henry H. Rood on account of special services rendered to the Iowa Vicksburg Park monument commission in the erection of the state memorial on the Vicksburg National Military Park.
Introduced and referred..... 156
Reported and referred..... 495
Reported 654
Passed 734

29—By Cowles. To transfer to the city of Burlington, Iowa, the title, use and control of a certain island in the Mississippi river near the city of Burlington, Iowa, known as Otter, Iowa.

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Introduced and referred.... 156
Reported 294
Amended 297
Passed 298
Passed house 455
Enrolled 523-543
Signed 544
Sent to the governor..... 544

30—By Clarkson. Relating to surety by bank officers on bonds or other evidence of indebtedness and providing for the competency of evidence relating thereto.
Introduced and referred.... 156
Reported unfavorably 530
Indefinitely postponed 531

31—By Neal. To amend the law relating to primary elections as it appears in sections ten hundred eighty-seven-a-four (1087-a-4), ten hundred eighty-seven-a-seven (1087-a-7), ten hundred eighty-seven-a-ten (1087-a-10), ten hundred eighty - seven -a - nineteen (1087-a-19), and ten hundred eighty-seven-a-twenty-two (1087-a-22), as amended by chapter sixty-nine (69) of the acts of the Thirty-third (33) General Assembly, and chapter fifty-eight (58) of the acts of the Thirty-fourth (34) General Assembly.
Introduced and referred.... 161
Reported unfavorably 460
Indefinitely postponed 460
Reconsidered 607
Rereferred 607
Returned and referred 1912

32—By Spaulding. To amend the law as it appears in section two hundred sixty-five (265) of the code, relating to the clerk of the superior court.
Introduced and referred.... 161
Reported 255, 256
Referred 279
Reported with amendments.. 285
Amendments adopted 301
Passed 302
House amends and passes... 722
Senate concurs 736-737
Enrolled 769
Signed 769
Sent to the governor..... 796

33—By Spaulding. To amend the law as it appears in section nineteen hundred eighty-nine-a-twelve (1989-a-12), supplement to the code, 1907, as amended by chapter 118, acts of the Thirty-third General Assembly, and chapter 87, acts of the Thirty-fourth General Assembly, relating to the assessment of costs and damages in the establishment of levees, ditches,

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drains and water courses.
Introduced and referred.... 161
Reported 224
Referred 224
Reported unfavorably 470
Indefinitely postponed 470

34—By Smith. To aid prisoners and indigent members of the families of male prisoners in the state penitentiary and the reformatory.
Introduced and referred.... 151
Report substitute.....842-843-844
Referred 844

35—By Chase. To legalize a certain election held in the town of Jewell Junction, Iowa.
Introduced and referred..161-162
Reported 255
Passed 276
House amends and passes... 455
Senate concurs in house amendment 485-486
Enrolled 583
Signed 586
Sent to the governor..... 592

36—By Smith. An act authorizing the curator of historical collections to collect and disseminate information regarding birds, fish and other wild animal life in Iowa, and appropriating seven thousand five hundred dollars ($7,500.00) annually out of the fish and game protection fund therefor.
Introduced and referred.... 163
Reported 999
Indefinitely postponed.....1153

37—By Sullivan. To amend section five thousand two hundred fifty-six (5256) of the supplement to the code, 1907, relating to the appointment and compensation of the clerks of the grand jury.
Introduced and referred.... 168
Report substitute 532-533
Passed 623-624
Passed house 2435
Enrolled 2436-2478
Signed 2480
Sent to governor.....2486

38—By Sullivan. To provide for the compilation of the laws of the Thirty-third, Thirty-fourth and Thirty-fifth General Assemblies and the laws as they appear in the supplement to the code, 1907; to annotate same and the code and rules of the supreme court to and including May term, 1913, of the supreme court, and to publish the said compilation and annotations as a "supplement to the code, 1913," and to provide for

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the appointing of a supervising committee, the election of an editor of such supplement to the code and to establish a salary for such editor, and making an appropriation therefor, and repealing section twenty-four (24) of chapter twenty (20) of the acts of the Twenty-sixth General Assembly, extra session, as same appears on page five (5) of the prefix to the code.
Introduced and referred..... 168
Reported with amendments.. 573
Referred 573
Reported 1281
Amended 1441
Passed 1442
Passed house 1627
Enrolled 1836-1837
Signed 1902
Sent to governor 1903

39—By Farr. To amend section two hundred twenty-seven (227) of the code supplement of 1907, as amended by the Thirty-fourth General Assembly, and to provide for an additional judicial district and an additional judge for said additional district.
Introduced and referred..... 168
Report substitute 531-532
Withdrawn 623

40—By Malmberg. Relating to the loaning and depositing of public funds by city treasurers.
Introduced and referred..... 168
Reported substitute 609
Substitute adopted 755
Amended 755
Passed 756
House amends and passes...2059
Senate concurs 2062
Enrolled 2151-2153
Signed 2169
Sent to governor 2216

41—By Malmberg. To amend section 3284 of the code relating to notice of hearing of probate wills.
Introduced and referred 168
Returned and referred.....2030

42—By Nye. To amend sections twenty-seven hundred and fifty-four (2754), twenty-eight hundred eight (2808), and twenty-eight hundred twelve-f (2812-f), supplement to the code, 1907, and sections twenty-seven hundred sixty (2760), twenty seven hundred eighty (2780), and twenty-eight hundred eleven (2811), code 1897, and to repeal section twenty-eight hundred ten (2810), code 1897,

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and sections twenty-seven hundred fifty-seven (2757), twenty-seven hundred sixty-eight (2768), and twenty-seven hundred sixty-nine (2769), supplement to the code 1907, and to enact substitutes therefor, abolishing the office of school treasurer and providing that the county treasurer shall perform the duties of said officer.
Introduced and referred..... 177
Reported unfavorably 604
Indefinitely postponed 605

43—By Sheean. Appropriating the sum of five thousand (5,000) dollars, to indemnify Allan W. Hamaker for personal injuries sustained by him while embployed as a guard in the reformatory at Anamosa, Iowa.
Introduced and referred..... 176
Substitute reported 394-395
Referred 395
Reported 603
Substitute adopted 779
Passed 780
House amends and passes....1029
Senate concurs in house amendments 1034-1035
Enrolled 1168-1180
Signed 1181
Sent to governor.....1268

44—By Sheean. To fix the compensation of the wardens and of certain officers and employes of the reformatory at Anamosa and the state penitentiary at Fort Madison, and to enlarge the support fund of said institutions; repealing sections five thousand seven hundred and seventeen (5717) and five thousand seven hundred and eighteen (5718) of chapter two (2), title twenty-six (XXVI)) of the code and the law as found in sections five thousand seven hundred and sixteen (2716), five thousand seven hundred and eighteen-a-twenty-eight (2718-a-28), chapter two (2), title twenty-six (XXVI) of the supplement to the code, 1907.
Introduced and referred 178
Reported with amendments.. 306
Referred 308
Reported 488
Amended and passed.....613-614
House amends and passes....1360
Senate refuses to concur.....1366
House insists on its amendments 1379
Conference committee ..1389-1379
Report of conference committee 1571
Senate concurs 1590
House concurs 1709
Enrolled 1837-1838
Signed 1902
Sent to governor.....1903

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45—By Heald. To establish legal weights and measures, to provide for the inspection of the same, to punish the keeping or use of false or incorrect weights and measures, to provide for statements of net weight, placing the enforcement in charge of the dairy and food department, and to repeal acts in conflict with this act.
Introduced and referred 178
Returned and referred 1913

46—By Heald. Relating to the management and operation of paid fire departments, providing for the division of all paid fire departments into two platoons limiting the hours of service of such employes and repealing all acts or parts of acts in conflict herewith.
Introduced and referred 178
Reported unfavorably 254
Indefinitely postponed 254

47—By Wilson of Clinton. Legalize the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and all acts done and ordinances passed by the city council of said city.
Introduced and referred 178
Reported with amendments... 330
Amendments adopted 337
Passed 338
House amends and pases..... 536
Senate concurs in house amendment 559
Enrolled 680
Signed 687
Sent to the governor..... 687

48—By Wilson of Clinton. To repeal the law as it appears in sections four hundred ten (410) and four hundred eleven (411), supplement to the code, 1907, and to enact a substitute therefor relating to the election, compensation, duties and terms of office of county supervisors.
Introduced and referred 179
Report substitute 785-786
Substitute adopted 985
Made special order 987
Considered and referred.....1091
Report substitute 1278-1280
Substitute adopted 1508
Amended 1508-1509
Passed 1509

49—By McColl. Making appropriation to defray the expenses of the inaugural ceremonies.
Introduced and referred..... 179
Reported 202
Passed 202
Passed house 259
Enrolled; 278-280
Signed 296
Sent to governor 297

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50—By Larrabee. To amend section twenty-eight hundred twenty-three-a (2823-a) and section twenty-eight hundred twenty-three-I (2823-I), chapter fourteen-A (14-A), suplement to the code, 1907.
Introduced and referred 179
Withdrawn 182

51—By Chase. Providing that all common carriers operating trains within the state of Iowa and conveying live stock shall provide a car equipped with sleeping berths or bunks for the persons in charge of such live stock, and providing a penalty for failure to comply therewith.
Introduced and referred..... 180
Returned and referred 1911

52—By Senator Chase. Requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for failure to comply therewith.
Introduced and referred 180
Reported with amendments.508-509
Considered and made special order 620
Amended 684
Consideration postponed 687
Amended 700-701
Passed 702
Passed house amended.....1013
Senate concurs 1030
Enrolled 1168-1180
Signed 1181
Sent to governor 1268

53—By Spaulding. To amend the law as it appears in chapter sixty-four (64), acts of the Thirty-third General Assembly, relating to the government of certain cities.
Introduced and referred..... 186
Reported unfavorably 1015
Indefinitely postponed 1015

54—By Dunnegan. To establish and maintain an elementary state normal school for the education and preparation of teachers for the common schools of Iowa, and providing for the transfer of certain property to the state of Iowa for the use of said school.
Introduced and referred..... 187
Referred 243
Reported unfavorably 516
Indefinitely postponed 517

55—By Neal. To repeal chapter one hundred and forty-six (146) of the acts of the Thirty-fourth General Assembly, relating to high school tuition, and to enact a substitute therefor.

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Introduced and referred..... 187
Reported unfavorably 1869
Indefinitely postponed 1869

56—By Taylor. To amend chapter one hundred (100), section two (2) and section (5) of the laws of the Thirty-fourth General Assembly regulating the granting of certificates of soundness of stock offered for sale or public service.
Introduced and referred 187
Returned and referred.....2088

57—By Heald. To authorize the location, use and construction of lines for the transmission of electric current or energy and the erection of the poles, wires, insulators, towers and other necessary construction therefor and the procuring of and making compensation for the right of way for said transmission line.
Introduced and referred 188
Reported with amendments.. 481-482-483-484
Amended 644-645
Amended and referred ...730-731
Report substitute 1293
Substitute adopted 1563
Amended 1563
Passed 1564
Passed house 1760
Enrolled 1906-1934
Signed 1970
Sent to governor 1971

58—By Balkema. Providing for the sanitation of bakeries, canneries, packing houses, slaughter houses, dairies, creameries, cheese factories, confectioneries, restaurants, hotels, groceries, meat markets, and all other food producing establishments, manufactories, or other places where food is prepared, manufactured, packed, stored, sold or distributed, and vehicles in which food is placed for transportation; regulating the health of operatives, employes, clerks, drivers and all other persons working on the premises who handle the material from which food is prepared or the finished product; defining food, regulating the wholesomeness of food manufactured, prepared, packed, stored, sold, distributed or transported; defining the duties of the state dairy and food commissioner in relation thereto; providing penalties for the violation thereof, and repealing acts in conflict therewith.
Introduced and referred.... 188
Returned and referred.....1913

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59—By Balkema. Enlarging the duties of the Iowa State Board of Health, increasing the annual appropriation for the same, providing compensation for the additional work enjoined, and repealing section two thousand five hundred and seventy-five (2575) of the code and enacting a substitute therefor and additional to chapter sixteen (16), title thirteen (13) of the code relating to the state board of health.
Introduced and referred 188
Returned and referred 2029

60—By Balkema. Creating a state highway commission and a highway engineering department, outlining the powers and duties of said commission and department, establishing the office of state highway engineer, and providing for the distribution of state aid for permanent highway improvement.
Introduced and referred..... 189
Returned and referred 2088

61—By Larrabee. To provide additional funds for the Soldiers' Home, the Industrial School for Boys, the Industrial School for Girls, the state penitentiary and the reformatory.
Introduced and referred 189
Reported and referred..... 262
Reported 383
Passed 418
House amends and passes.536-537
Senate concurs 611
Enrolled 666-667
Signed 687
Sent to governor 688

62—By Malmberg. To amend section sixteen hundred and seventeen (1617) of the code, relative to filing notices of dissolution by corporations.
Introduced and referred..... 189
Reported unfavorably 1291
Indefinitely postponed 1291

63—By Malmberg. To amend section three thousand four hundred forty-seven (3447) of the code, relating to the limitation of actions.
Introduced and referred 189
Reported unfavorably 256

64—By Malmberg. To amend section 3340 of the code relative to the examination of the owner of claims against estates.
Introduced and referred..... 189
Reported 1298
Passed 1557
Passed house 1995
Enrolled 2067-2068
Signed 2073
Sent to governor 2075

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65—By Perkins. To establish an industrial reformatory for women, to make appropriation therefor, to provide for the transfer of inmates to and from the Industrial School for Girls, and repealing the law as it appears in chapter eight-A (8-A) of title thirteen (XIII) of the supplement to the code, 1907, relating to an industrial reformatory for females.
Introduced and referred ..189-190
Reported and referred 1243

66—By Darrah. To amend the law as it appears in sections twenty-five hundred and five (2505) and twenty-five hundred and eight (2508) of the supplement to the code, 1907, in reference to the inspection of petroleum products.
Introduced and referred..... 196
Reported unfavorably 606
Indefinitely postponed 606

67—By Darrah. To provide state aid to consolidated schools equipped with two or more rooms and making an appropriation therefor.
Introduced and referred 196
Reported 604
Referred 639

68—By Robinson. Creating a commission and to erect a state office building, procuring necessary grounds adjacent to the capitol for the same, and for an appropriation therefor.
Introduced and referred..... 197
Reported with amendments... 334
Referred 334
Reported with amendments 1547-1548
Amendments adopted 1984
Passed 1984
House indefinitely postpones..2119

69—By Ream. To abolish certain school boards and the office of school treasurer, and to provide for the control and management of the schools by the township trustees, and to make the township the unit of organization, and to provide for the performance of the duties of school treasurer by the county treasurer.
Introduced and referred..... 197
Reported unfavorably 1085
Indefinitely postponed 1085

70—By Savage. To establish a department of public instruction, and to amend section ten hundred and sixty-five (1065) of the supplement to the code, 1907, and to repeal chapter one (1) of title thirteen (13) of the code, and to repeal chapter one

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(1) of title thirteen (13) of the supplement to the code, 1907, as amended, relative to the office of superintendent of public instruction, and to enact a substitute therefor, and to make the superintendent of public instruction ex-officio, a member of the state board of education.
Introduced and referred..... 197
Reported with amendments.462-463
Referred 463
Reported with amendments..1172
Amendments adopted 1332
Passed 1333
House amends and passes....1625
Senate concurs 1736
Enrolled 1907-1967
Signed 1970
Sent to governor 1971

71—By Balkema. To repeal chapter one hundred fifty-two (152) of the acts of the Thirty-fourth (34th) General Assembly and to enact a substitute therefor relating to the conveyance of real estate by executor, administrator, trustee, guardian, referee, or commissioner.
Introduced and referred 197
Reported 497
Passed 591-592

72—By Boe. To repeal sections two (2), four (4), and nine (9), of chapter one hundred thirty-one (131) of the acts of the Thirty-fourth General Assembly, and to enact substitutes therefor, relating to the training of teachers for rural schools and making appropriation therefor.
Introduced and referred ..197-198
Reported with amendments.. 284
Referred 284-285
Reported 383
Amended 399
Made special order 399
Passed 419
Passed house 1995
Enrolled 2130-2132
Signed 2137
Sent to governor 2150

73—By Arney. To amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code, 1907, in regard to the qualifications of certain officers of the Soldiers' Home.
Introduced and referred..... 198
Reported with amendments... 286
Withdrawn 321

74—By Arney. To repeal twenty-six hundred six (2606) of the supplement to the code and to enact a substitute therefor relating to admissions to the soldiers' home.

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Introduced and referred..... 198
Reported 426
Title amended 445
Passed 445
House indefinitely postpones..1252

75—By Arney. To repeal chapter one hundred sixty-six (166) of the acts of the Thirty-third General Assembly, and to enact a substitute therefor relating to payments for their support by members of the soldiers' home.
Introduced and referred..... 198
Reported 426
Passed 444
Passed house 721
Enrolled 768-769
Signed 769
Sent to governor 796

76—By Arney. To amend section twenty-six hundred eight (2608) of the supplement to the code, 1907, and establish a minimum monthly allowance for the support of the soldiers' home.
Introduced and referred..... 198
Reported 487
Amended and passed..... 587
House amends and passes...1997
Considered 2003
Senate concurs 2004
Enrolled 2130-2131
Signed 2137
Sent to governor.....2150

77—By Malmberg. To amend section one thousand six hundred and fourteen (1614) of the code relative to corporations for pecuniary profit.
Introduced and referred 198

78—By Perkins. Relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the state dairy and food commissioner in relation thereto.
Introduced and referred..... 199
Returned and referred 1913

79—By Larrabee. To amend section twenty-eight hundred twenty-three-a (2823-a) and to amend section twenty-eight hundred twenty-three-1 (2823-1) ,supplement to the code, 1907, relative to the attendance of children of a certain age in public schools.
Introduced and referred.....199
Report substitute 463-464
Substitute adopted 485
Amended and passed 581-582
House amends and passes....1997
Considered 2002
Senate concurs 2003-2004
Enrolled 2151-2153
Signed 2169
Sent to governor 2216

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80—By Chase. To pension the survivors of the Spirit Lake relief expedition of 1857.
Introduced and referred 199
Reported 334
Referred 334
Reported 382
Title amended 794
Passed 797
House amends and passes....1737
Senate concurs 1738
Enrolled 1836-1838
Signed 1902
Sent to governor 1908

81—By Chase. To legalize releases and satisfactions of mortgages and deeds of trust.
Introduced and referred..... 200
Reported with amendments... 333
Amendments adopted 338
Passed 339
Passed house 434
Enrolled 467-468, 431
Signed 489
Sent to governor 490

82—By Chase. To provide additional chairs in the College of Homeopathic Medicine of the State University of Iowa, additional to chapter one hundred sixty-eight (168) of the acts of the Sixteenth General Assembly.
Introduced and referred..... 200
Reported unfavorably 1016
Considered 1924
Indefinitely postponed 1931
Motion to reconsider 1986
Reconsidered 2388
Passed 2389
Passed house 2493
Enrolled 2533-2536
Signed 2546
Sent to governor 2559

83—By Chase. Amending section three thousand one hundred and forty-seven (3147) of the code, relating to the time for making return of solemnization of marriage.
Introduced and referred 200
Reported unfavorably 1041

84—By Malmberg. To legalize a special election held in the city of Carroll, Iowa, at which was submitted the question of granting a franchise for the establishment of gas works and the use of the streets, alleys and public grounds of said city in connection therewith; and to legalize an ordinance passed by the city council of said city granting said franchise; and legalizing all acts of said city, and its council, in connection with the grant of the same.
Introduced and referred..205-206
Reported with amendments... 255
Amendments adopted 265
Passed 235
Passed house 283

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Enrolled 295, 296
Signed 296
Sent to the governor..... 297

85—By Arney. To amend section seven hundred and ninety-three (793) of the code relating to street improvements, sewers and special assessments.
Introduced and referred..... 206
Reported with amendments.254-255
Substitute reported 254-255
Substitute adopted 277
Passed 278
House amends and passes.... 536
Concurred in amendments.... 643
Enrolled 680-681
Signed 687
Sent to governor 687

86—By Crow. To legalize certain warrants of the city of Onawa, Iowa.
Introduced and referred ..206-207
Reported 384
Passed 398

87—By Francis. Amending the law as it appears in section twenty-five hundred seventy eight (2578) of the 1907 supplement to the code relating to revocation of physicians' certificates and defining unprofessional conduct.
Introduced and referred..... 210
Reported 523
Amended and passed.....636-637
House amends and passes....1517
Considered 1549
Senate concurs in house amendments 1781
Enrolled 1837-1838
Signed 1902
Sent to governor 1908
Recalled from governor 1988
Reconsidered 2115
Senate amends 2115
House concurs 2194
Enrolled 2343-2384
Signed 2386
Sent to governor 2387

88—By Francis. Amending chapter one hundred thirty-five (135) of the acts of the Thirty-third General Assembly relating to lien upon progeny of stallions.
Introduced and referred 210
Reported unfavorably 502
Indefinitely postponed 502

89—By DeWolf. To encourage the dairy and beef cattle growing industries of the state of Iowa, and to aid in providing instruction in practical and scientific methods and making an appropriation therefor.
Introduced and referred..... 210

90—By Balluff. Authorizing the recording of transcripts from recorder's office of instruments affecting real

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estate. (Additional to chapter 6, title 14 of the code relating to conveyance of real estate.)
Introduced and referred...213-214
Reported 383-384
Withdrawn 518

91—By Crist. Repealing section six hundred ninety-four-a (694-a) of the 1907 supplement to the code of Iowa, relating to the authority of cities and towns to appropriate money to pay for a membership in the League of Iowa Municipalities.
Introduced and referred..... 214
Reported unfavorably.....864
Indefinitely postponed 865

92—By Cowles. Authorizing the giving of annuities to disabled and retired public school teachers of all rural and urban public schools, creating a fund from which to pay such annuities and providing for the distribution thereof, creating a board of trustees to care for such annuity fund and prescribing their powers and duties. And authorizing the retiring from service of public school teachers under certain conditions.
Introduced and referred 214
Report substitute....900-901-902 903-904
Made special order 1011
Amended 1019
Passed 1020
Motion to reconsider 1026
Request for return lost.....1045
Senate requests return..1406-1407
Made special order 1407
House returns 1410
Motion to reconsider lost....1410

93—By Heald. Giving school boards in certain districts authority to use school grounds as public recreation and playgrounds and providing for the levy of separate tax for the support of same and authorizing cities within such districts to appropriate money for the same purpose. Additional to chapter fourteen (14) title thirteen (XIII) of the code.
(XIII) of the code.
Introduced and referred 214
Returned and referred.....1975

94—By Heald. To amend section two hundred twenty-seven (227) of the supplement to the code, 1907, relating to the division of the state into judicial districts, and increasing the number of district judges in the eighteenth district.

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Introduced and referred..... 214
Reported unfavorably 1111
Indefinitely postponed 1111

95—By Nye. To legalize the incorporation of the town of Sharpsburg, Taylor county, Iowa, the election of its officers, the passage and records of its ordinances and resolutions, and all acts done by the council of said town.
Introduced and referred 215
Report substitute 808
Substitute adopted 872
Passed 872
Passed house 1473
Enrolled 1609-1611
Signed 1633
Sent to governor 1696

96—By Nye. To amend section seven hundred ninety-two-b (792-b) of the supplement to the code 1907, in relation to the payment of deficiencies in assessments for street improvements and sewers.
Introduced and referred..... 215
Reported 361
Referred 376
Reported unfavorably 542
Indefinitely postponed 542

97—By Nye. To amend section twenty-five hundred seventy-five-a-15 (2575-a-15) of the 1907 supplement to the code relating to the reporting of deaths by assessors.
Introduced and referred 215
Reported unfavorably 285
Indefinitely postponed 285

98—By Sullivan. To enable minors between the ages of sixteen (16) and twenty-one (21) years to contract for life, health or accident insurance.
Introduced and referred..... 216
Reported unfavorably 770
Indefinitely postponed 770

99—By Sullivan. Amending section seven hundred ninety-two (792) of the code of 1897, relating to street improvements.
Introduced and referred 216
Reported 442
Passed 446
House amends and passes....1997
Considered 2002
Senate concurs 2182
Enrolled 2325-2327
Signed 2331
Sent to governor 2344

100—By Sullivan. To legalize the election of the city of Des Moines, Iowa, held on the 26th day of March, 1906, in favor of providing flood protection, as well as to legalize all acts done and

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resolutions passed and contracts entered into by the city of Des Moines for the improvement of the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high water.
Introduced and referred..216-217
Reported with amendments..332
Amendments adopted 352
Amended 352
Passed 352-353
Passed house 455
Enrolled 523-543
Signed 544
Sent to the governor 544

101—By Webber. To regulate and supervise the business of banking by individuals, partnerships or unincorporated persons.
Introduced and referred 218
Returned and referred.....1911

102—By Doran. Defining the number of employes necessary to constitute a full crew for railroad trains and yard service, providing a limit for the number of cars constituting a train and providing penalties for the violation thereof.
Introduced and referred..... 218
Reported unfavorably 1061
Indefinitely postponed 1062

103—By Farr. To amend the law as it appears in section one (1) chapter thirty-seven (37) of the laws of the Thirty-fourth (34th) General Assembly of Iowa, relating to smoke nuisances in certain cities.
Introduced and referred..... 218
Reported with amendments..
..... 315-316
Amendments adopted 336
Passed 337
House amends and passes... 760
Considered 767
Senate concurs 835
Enrolled 1057
Sent to governor.....1058

104—By Farr. To amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850) supplement to the code of 1907, relating to the investment of funds by savings banks.
Introduced and referred.... 218
Reported 330
Considered 638
Amended, lost in passage... 641
Motion to reconsider..... 646
Reconsidered 780-781
Amended 846
Passed 846-847
House amends and passes...2442
Senate concurs 2443
Enrolled 2465-2479

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Signed 2480
Sent to governor 2485

105—By Perkins. To create a law and legislative reference and bill drafting department of the state library; providing for a director and subordinate officers and employes thereof; prescribing the duties and fixing the salaries thereof, and making an additional appropriation therefor.
Introduced and referred.... 218
Reported with amendments..
..... 464-465
Referred 465

106—By Perkins. To amend section eighteen (18) of chapter one hundred and seventy (170) of the acts of the Thirty-third (33rd) General Assembly relative to the powers and duties of the state board of education and the finance committee of said board of education.
Introduced and referred..218-219
Reported 516
Passed 621-622
Passed house 2119
Enrolled 2211-2212
Signed 2214
Sent to governor 2215

107—By Perkins. To amend the law as it appears in section ten hundred and seventy-six (1076) of the code relating to the registration of voters in cities.
Introduced and referred 219
Reported unfavorably 857
Indefinitely postponed 857

108—By Arney. To amend the law as it appears in section ten hundred and fifty-six-a-twelve (1056-a-12) of the supplement to the code, 1907, relating to municipal accounting of cities and towns.
Introduced and referred 219
Reported unfavorably 400
Indefinitely postponed 400

109—By Arney. To amend the law as it appears in section ten hundred and fifty-six-a-eleven (1056-a-11) of the supplement to the code, 1907, relating to municipal accounting of cities and towns.
Introduced and referred..... 219
Reported unfavorably 400
Indefinitely postponed 400

110—By Arney. To amend the law as it appears in section ten hundred and fifty-six-a-nine (1056-a-9) of the supplement to the code, 1907, relating to municipal ac-

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counting of cities and towns.
Introduced and referred.... 219
Reported unfavorably 315
Indefinitely postponed 315

111—By Chase. Providing for an expression of opinion on the question of suffrage at the next general election.
Introduced and referred.... 222
Report substitute 461
Report adopted 518
Passed 522
Motion to reconsider..... 522
Made special order..... 656
Motion lost 708
House fails to pass.....1804

112—By Webber. To authorize loan and trust companies and state and savings banks to act as receiver or trustee of any trust, and as administrator, executor or guardian, or in any other fiduciary capacity, and to authorize loan and trust companies to transact the banking business, and to amend section sixteen hundred eleven (1611) of the code relating to corporations.
Introduced and referred..230-231
Reported unfavorably 1843
Indefinitely postponed 1843

113—By Crist. To amend section one (1) chapter one hundred forty-six (146) of the acts of the Thirty-fourth General Assembly, relating to the payment of tuition of pupils attending high school located in other districts.
Introduced and referred..... 231
Reported unfavorably 1870
Indefinitely postponed 1870

114—By Crist. To amend section four hundred fifty-eight-c (458-c) of the supplement to the code, 1907, and chapter thirty-two (32) of the acts of the Thirty-third General Assembly, relating to the payment of claims for injuries to domestic animals.
Introduced and referred..... 231
Reported 480
Passed 582
Passed house 1516
Enrolled 1608-1610
Signed 1633
Sent to governor.....1695

115—By Legel. To amend section thirty-five hundred thirty-four (3534) of the code, relative to serving notice in the matter of quieting title to real estate.
Introduced and referred..... 231
Reported unfavorably 1853
Indefinitely postponed 1853

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116—By Mattes. Making appropriations for the construction, repair, improvement and contingent funds for the Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, School for the Deaf, Institution for Feeble-minded Children, sanatorium for the treatment of tuberculosis, industrial schools, state hospitals, penitentiary, reformatory, for the purchase of land, and for a state institution for epileptics.
Introduced and referred..... 231
Report substitute.....
.... 2348-2349-2350-2351-2352
Passed 2409
House amends and passes...2489
Considered 2491
Senate concurs 2492
Enrolled 2549-2553
Signed 2555
Sent to governor.....2557

117—By Smith. To amend section ten hundred eighty-seven A-4 (1087 A-4) of supplement to the code of 1907, as amended by section 1 of chapter 58 of the acts of the Thirty-fourth General Assembly in relation to the time of holding primary elections.
Introduced and referred..... 232
Report substitute 461-462
Rereferred 541
Report substitute 855-856
Substitute adopted 878
Amended 929
Made special order..... 929
Amended and lost in passage 1011
Motion to reconsider.....1012
Reconsidered 1491
Lost on passage.....1492

118—By DeWolf. To confer additional powers upon trust companies and to prescribe the conditions under which they may transact business.
Introduced and referred..... 232
Report substitute.....574-575-576
Substitute adopted 754
Referred 754
Reported with amendments..
..... 1119-1120
Made special order.....1145
Amended 1261-1264-1265-1266
Passed 1266
House amends and passes....1979
Considered 1983
Senate refuses to concur....
..... 2035-2036
House insists; appoints conference committee 2093
Senate appoints conference committee 2095
Conference committee report..2142
Amended and passed.....2143
House passes 2194
Enrolled 2326-2327
Signed 2331
Sent to governor.....2343

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119—By Arney. To require foreign corporations owning, controlling, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant or street railway located within the state of Iowa, or the business of such works, plants or railways or owning or controlling stock in any corporation owning, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant or street railway located in whole or in part within the state of Iowa or the business of such plants or railways to comply with the laws governing the issuance of capital stock of domestic corporations and the making of reports by domestic corporations and to require said foreign corporations to obtain a permit to transact business within the state of Iowa, and conferring upon courts of equity jurisdiction to dissolve and terminate corporations, works, plants or business violating this act and providing penalties for violations of this act.
Introduced and referred..... 232
Reported with amendments... 740-741-742
Amendments adopted 828
Amended 828-829
Passed 830
Passed house 1380
Enrolled 1468
Signed 1471
Sent to governor..... 1496

120—By Arney. To legalize certain warrants of the city of Marshalltown, Iowa.
Introduced and referred..232-233
Reported 287
Passed 287-288
House indefinitely postpones. 392

121—By Thomas. To amend the law as it appears in chapter one hundred forty-two (142) acts of the Thirty-third (33d) General Assembly, relating to the number of persons to whom city or town councils may, by resolution, grant consent to sell intoxicating liquors and making the same apply to cities acting under special charter.
Introduced and referred..... 234
Report substitute 1083
Substitute adopted 1148
Passed 1148
Passed house 1422
Enrolled 1467-1469
Signed 1471
Sent to governor..... 1497

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122—By Smith. To establish three additional state normal schools, to have state board of education locate the same, select and secure sites therefor, and making appropriation for the purchase of said sites.
Introduced and referred..... 239
Referred 246
Reported unfavorably 514
Indefinitely postponed 515
Motion to reconsider..... 524
Indefinitely postponed 656

123—By McColl. To establish and maintain an elementary state normal school at Perry, Iowa, and donating certain real estate to the state of Iowa for the use of the said school.
Introduced and referred..... 239
Referred 246
Reported unfavorably 515
Indefinitely postponed 515

124—By Wilson of Appanoose. A bill for an act to amend section three thousand eight hundred two (3802) of the code relative to the lien of judgments.
Introduced and referred..... 240
Reported 332
Passed 359
Passed house 1144
Enrolled 1179
Signed 1181
Sent to governor..... 1268

125—By Nye. To legalize certain warrants of the city of Bedford, Iowa.
Introduced and referred..... 240
Reported 728
Withdrawn 736

126—By Dunnegan. To appropriate money to carry out the provisions of chapter sixteen-f (16-f) of title twelve (XII) supplement to the code, 1907, relating to the work of the state entomologist.
Introduced and referred..... 242

127—By Hilsinger. To amend the law as it appears in section twenty-seven hundred and fifty-four (2754) of the supplement to the code, 1907, relating to the election of officers in independent school districts in towns and cities.
Introduced and referred..... 242
Reported with amendments... 396-397
Amended 465
Passed 466
House amends and passes....1074
Considered 1082
Senate concurs 1222
Enrolled 1351-1352
Signed 1372
Sent to governor..... 1391

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128—By Doran. To provide for the organization and management of local road districts in the state, and providing bounties for all permanent roads constructed in accordance with the provisions of this act.
Introduced and referred..... 246
Returned and referred.....1912

129—By Wilson of Clinton. Relating to the building of county bridges.
Introduced and referred..... 246

130—By Clarkson. To amend section ten hundred seventy-six (1076) supplement to the code 1907, relating to registration of voters.
Introduced and referred..... 246
Reported 857
Passed 908-909
Passed house 2287
Enrolled 2381-2386
Signed 2386
Sent to governor.....2386

131—By Chase. To amend the law as it appears in sections twenty-eight hundred thirty-one (2831) and twenty-eight hundred thirty-two (2832) supplement to the code, 1907, relative to schools.
Introduced and referred..... 246
Returned and referred.....1975

132—By Legel. To repeal sections twenty-three hundred eighty-seven (2387), twenty-three hundred eighty-nine (2389), twenty-three hundred ninety-one (2391), twenty-three hundred ninety-four (2394), twenty-three hundred ninety-five (2395), twenty-three hundred ninety-six (2396), twenty-three hundred ninety-seven (2397), twenty-three hundred ninety-eight (2398), and twenty-three hundred ninety-nine (2399) of the code of 1897, and sections twenty-three hundred eighty-eight (2388), twenty-three hundred ninety (2390), twenty-three hundred ninety-two (2392), twenty-three hundred ninety-three (2393), twenty-four hundred (2400), and twenty-four hundred one (2401), twenty-five hundred ninety-six-a (2596-a), twenty-five hundred ninety-six-b (2596-b), and twenty-five hundred ninety-six-c (2596-c) of the supplement to the code of 1907, relating to the sale of intoxicating liquors by registered pharmacists.
Introduced and referred..... 247
Reported unfavorably 1086
Indefinitely postponed 1087

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133—By Neal. Repealing section ten (10) of chapter twenty-six (26) of the acts of the Thirty-third (33d) General Assembly of the state of Iowa, and substituting therefor not more than a one (1) mill levy upon the assessed value of the taxable property in any county exercising the rights conferred by said chapter.
Introduced and referred..... 247
Reported with amendments..1544

Withdrawn 1734
134—By Darrah. For the relief of the grantees of G. W. Perkins, and for the purpose of having a patent issued in the name of John A. Ruttur. for a certain tract of land.
Introduced and referred..... 247
Reported 427
Passed 445-446
Passed house 722
Enrolled 769
Signed 769
Sent to the governor..... 796

135—By Quigley. To amend section 3377 of the code, relating to the election between the distributive share and occupancy of homestead by surviving spouse and setting off such distributive share.
Introduced and referred..... 250
Reported 285
Amended 303
Passed 303
Passed house 845
Enrolled 1056-1057
Signed 1058
Sent to governor.....1058

136—By Ames. To provide for the destruction of noxious weeds and other weeds and brush upon lands, highways and other places; prescribing penalties for the violation thereof; assessing the costs and expenses of the destruction of the same to the lands and owners thereof; and providing funds with which to destroy the same, and repealing all of chapter ninety-six (96) of the acts of the Thirty-third General Assembly relating to weeds and brush upon lands and highways.
Introduced and referred..... 250
Report substitute.774-775-776-777
Substitute adopted 850
Amended 850-852
Passed 852
Motion to reconsider..... 853
Amended 853-859
Passed 859
House amends and passes....2523
Senate concurs 2524
Motion to reconsider.....2525
Laid on table.....2542

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Enrolled 2550-2552
Signed 2555
Sent to governor.....2558

137—By Larrabee. To establish a laboratory for the manufacture of hog cholera serum at the Iowa State College of Agriculture and Mechanic Arts, under the supervision of the president of said college, to abandon the institution for manufacture of hog cholera serum now being operated by the state of Iowa, to regulate the sale of hog cholera serum, to provide penalties for the violation of said regulations, and to make an appropriation therefor.
Introduced and referred..... 252
Returned and referred.....2088

138—By Heald. To create a department for women and children in the bureau of labor and to prescribe the duties thereof, additional to chapter eight (8) of the code, relating to the bureau of labor statistics.
Introduced and referred..... 253
Returned and referred.....1912

139—By Jones. To amend the law as it appears in section fifty-seven hundred seven (5707) of the supplement to the code of 1907 relating to the breaking of stone.
Introduced and referred..... 253
Reported 294-295
Amended 351
Passed 351
House amends and passes...1073
Senate concurs 1183
Enrolled 1351-1352
Signed 1372
Sent to governor.....1391

140—By Jones. To repeal the law as it appears in section fifty-six hundred eighty-five-a (5685-a) of the supplement to the code of 1907 and to enact a substitute therefor in regard to collection of money from visitors and its use.
Introduced and referred..... 253
Reported with amendments.. 505
Passed 619
House amends and passes....1883
Considered 1889
Senate concurs in house amendments 1890
Enrolled 1970-2027
Signed 2027
Sent to governor.....2028

141—By Jones. To repeal the law as it appears in section twenty-six hundred ninety-two-a (2692-a) of the supplement to the code of 1907, and to repeal section one (1) of chapter one hundred seventy-two (172) of the acts of the Thirty-third General Assembly relating to state agents, their salaries and supplies, and to enact a substitute therefor and to amend section one (1) of chapter one hundred thirty-four (134) making an appropriation for the salaries and expenses of state agents.
Introduced and referred..... 253
Reported 393
Referred 393
Reported 802
Amended 892
Title amended 893
Passed 893
House indefinitely postpones..1253

142—By Jones. To repeal chapter one hundred thirty-seven (137) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the support of the industrial schools.
Introduced and referred..... 253
Reported and referred..... 295
Reported 488
Passed 586
House amends and passes...1926
Considered 1974-1975
Senate concurs 2008
Enrolled 2130-2132
Signed 2137
Sent to governor.....2149

143—By Robinson. To amend section three (3), chapter one hundred seventy-four (174), laws of the Thirty-fourth (34th) General Assembly, relating to the misbranding of foods.
Introduced and referred..... 254
Withdrawn 452

144—By Ames. To amend sections two (2), three (3) and seven (7) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly, and adding new sections to the same relating to stallions and jacks.
Introduced and referred..... 257
Substitute reported ..502-503-504
Amended and passed.....617-618
Passed house 800
Enrolled 859-878
Signed 893
Sent to the governor..... 914

145—By Wilson of Appanoose. To establish and maintain another state normal school for the special instruction and training of teachers for the common schools of the state, providing for the donation of a site therefor,

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and providing for the teaching of certain branches in said school.
Introduced and referred..... 260
Reported unfavorably 655
Indefinitely postponed 655

146—By Wilson of Appanoose. To amend sections two (2), five (5) and eight (8), ten (10), twelve (12), fifteen (15), and sixteen (16) of chapter one hundred twenty-eight (128), acts of the Thirty-fourth General Assembly, relative to the duties and compensation of the state fire marshal and the deputy state fire marshal, and making an appropriation for the maintenance of the state fire marshal's office.
Introduced and referred..... 260
Reported and referred....997-998
Reported substitute....2202-2203
Substitute adopted 2312
Passed 2312-2313
Passed house 2489
Enrolled 2516-2518
Signed 2524
Sent to governor.....2530

147—By Wilson of Appanoose. To amend section 3656 of the code relative to trial terms.
Introduced and referred..... 261
Reported unfavorably 427
Indefinitely postponed 427

148—By Wilson of Appanoose. To amend section 3172 of the code of 1897, providing for the postponement of the hearing of an application for divorce.
Introduced and referred..... 261
Reported unfavorably 427-428
Indefinitely postponed 428

149—By Mattes. Making appropriations for the State University, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers' College, and the College for the Blind.
Introduced and referred..... 261

150—By Perkins. To amend section thirty-three hundred and seventy-six (3376) of the supplement to the code, 1907, as to share of surviving spouse.
Returned and referred..... 261
Returned and referred.....2030

151—By McColl. To amend the law relating to the compensation and duties of school treasurers as the same appears in section twenty-seven hundred eighty (2780) of the code and section twenty-seven hundred sixty-eight (2768) of the supplement to the code, 1907.

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Introduced and referred..... 263
Reported 605
Passed 732
Passed house 760
Enrolled 860-878
Signed 893
Sent to the governor..... 914

152—By committee on rules. To fix the date of the counting of the votes for governor and lieutenant governor and fixing the date of the inauguration of governor and lieutenant governor.
Introduced 263
Passed 304
Motion to reconsider..... 309
Amended 318
Considered 325
Amended 325
Passed 326
Passed house 1395
Enrolled 1466-1469
Signed 1471
Sent to governor.....1496

153—By committee on rules. To authorize senators holding over and members of the house and senate holding certificates of election, to file with the secretary of state and have printed before the meeting of the general assembly, any bill for a law that he may intend to present to the consideration of that body.
Introduced and referred..263-264
Amended 304-305
Passed 305
House indefinitely postpones. 393

154—By Ream. To provide free text books and supplies for pupils in rural and graded schools.
Introduced and referred..... 269
Returned and referred.....1975

155—By Mattes. To establish and maintain an elementary state normal school for the education and promotion of teachers for the common schools of Iowa, and providing for the transfer of certain real estate and personal property to the state of Iowa for the use of said normal school.
Introduced and referred..... 269
Reported unfavorably 517
Indefinitely postponed 517

156—By Heald. Repealing section one thousand three hundred twenty-six (1326) of the code of 1897 and enacting a substitute in lieu thereof relating to the assessment of stock of building and loan associations.
Introduced and referred..... 269
Reported with amendments..1086
Amendments adopted 1185

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Passed 1185
House amends and passes...1474
Considered 1501
Senate concurs 1502
Enrolled 1609-1611
Signed 1633
Sent to governor.....1696

157—By Heald. To amend the law as it appears in section two thousand three hundred and nine (2309) of the code relating to compensation of the commissioners of insanity.
Introduced and referred..... 270
Reported unfavorably 1052
Indefinitely postponed 1052

158—By Thomas. To amend section two thousand seven hundred and ninety-seven (2797) of the code, relating to rural independent districts.
Introduced and referred..... 270
Returned and referred.....1975

159—By Perkins. To prohibit marriages of persons committed to the industrial school and absent therefrom on parole or without authority and to provide punishment for violation of the act.
Introduced and referred..... 270
Reported 425
Passed 443
House indefinitely postpones. 845

160—By Perkins. To provide for the transfer of inmates of the industrial school to the reformatory for the purpose of safe-keeping, training and disciplining.
Introduced and referred..... 270
Reported unfavorably 1054
Indefinitely postponed 1054

161—By Perkins. In relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation for the labor of patients amendatory to.
Introduced and referred..... 270
Reported 556
Rereferred 642
Report substitute 771-772
Substitute adopted 849
Passed 849-850
House amends and passes...1979
Considered 1982

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Senate concurs 2180
Motion to reconsider.....2209
Amend house amendment....2209
Senate concurs 2209
House concurs 2320
Enrolled 2382-2385
Signed 2386
Sent to governor.....2387

162—By Perkins. Providing for the paroling of patients in the state hospital for inebriates and certain female patients from state hospitals for the insane, and for the return of patients who violate their paroles, and repealing the law as it appears in section twenty-three hundred ten-a-nineteen (2310-a-19) of the supplement to the code, 1907.
Introduced and referred..270-271
Reported and referred.....1199
Referred 1277
Reported 1372
Passed 1592
House amends and passes...1883
Considered 1887-1888
Senate concurs in house amendments 1889
Enrolled 1969-2027
Signed 2027
Sent to governor.....2029

163—By Jewell. To repeal the law as it appears in section five thousand twenty-eight-b (5,028-b) supplement to the code, 1907, and chapter two hundred twenty-two (222), acts of the Thirty-third General Assembly, amendatory thereof, and to enact a substitute therefor relating to unfair discrimination and competition in any commodity or article of commerce between different sections, communities, localities, cities or towns.
Introduced and referred..... 271
Reported unfavorably 1053
Indefinitely postponed 1053

164—By Francis. To prevent and punish, interfering with and enticing from any state institution or home or place of employment any ward of the state and providing for the punishment of violation of the act.
Introduced and referred..... 278
Reported 556
Passed 642-643

165—By Francis. To repeal section four thousand eight hundred ninety-seven (4897) of the supplement to the code of 1907 and to enact a substitute relating to escapes from the peniten-

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tiary, including violations of parole.
Introduced and referred..... 278

166—By Francis. To amend section forty-four hundred twenty (4420) of the code relating to applications for writs of habeas corpus.
Introduced and referred..... 278
Reported 807
Passed 897
House amends and passes...1232
Senate concurs 1289
Enrolled 1419-1420
Signed 1437
Sent to governor.....1453

167—By Cowles. To regulate trust companies, to authorize such companies and state and savings banks to act in a fiduciary capacity and to amend section sixteen hundred and eleven (1611) of the code, relating to corporations.
Introduced and referred..... 281
Reported unfavorably 1848
Indefinitely postponed 1848

168—By Schrup. To amend section one (1) of chapter one hundred forty-two (142) of the acts of the Thirty-third (33) General Assembly, changing the number of consents to sell intoxicating liquors, that may be granted by city or town councils, from one (1) to every one thousand (1000) of population, to one (1) to every one hundred (100) legally qualified signers of petitions of consent.
Introduced and referred..... 281
Reported unfavorably 1616
Indefinitely postponed 1616

169—By Chase. To change the burden of proof where contributory negligence is relied on as a defense and to provide rules of procedure in such cases.
Introduced and referred..... 288
Reported 1301
Amended 1558
Passed 1559
Senate requests return.....1628
House returns 1628
Reconsidered 1633
Amended and passed.....1645

170—By Taylor. Relating to the practice of dentistry, and to repeal sections twenty-six hundred-i (2600-i) and twenty-six hundred (2,600-j), of the supplement to the code, 1907.
Introduced and referred..... 288
Reported 1301
Passed 1490
House amends and passed...2067
Senate concurs 2070
Enrolled 2152-2153

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Signed 2169
Sent to governor.....2215

171—By Allen. To regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, and real estate brokers in the state of Iowa.
Introduced and referred..... 288
Referred 777
Returned and referred.....2030

172—By Sullivan. To appropriate the sum of fifty thousand dollars ($50,000.00) to be used for the purpose of promoting an exposition to be held in the city of Des Moines, Iowa, during the summer or fall of 1913 for the display of evidences of the progress of the negro race in the state of Iowa during the fifty years since emancipation.
Introduced and referred..... 289

173—By Mattes. Prescribing the liability of employers for accidental bodily injuries or death sustained by their employes; providing for compensation for accidental bodily injuries to or death of employes and methods of payment of same; restricting the right of recovery to the compensation as provided; providing for a review of awards thereof; providing for the creation of the bureau of industries and fixing its powers; providing for safety devices and safeguards; providing duties of employers and employes and fixing penalties for violation thereof; providing for hearings before such bureau and for actions against it; fixing the bureau's powers in respect to industrial accidents and making appropriations for carrying out of this act.
Introduced and referred..... 290
Returned and referred.....2030

174—By Perkins. To amend the law relating to the sale of concentrated feeding stuffs, as it appears in section five thousand seventy-seven-a-eight (5077-a-8) of the supplement to the code, 1907.
Introduced and referred..... 290
Reported 1493

175—By Spaulding. Repealing section twenty-three hundred and forty-eight (2348) of the code, 1897, and enact-

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ing a substitute therefor, providing for a bounty on wild animals and the proof necessary to secure such bounty.
Introduced and referred..... 291
Reported 480
Rereferred 584
Reported with amendments.. 751
Amendments adopted 819
Passed 820
Passed house 1380
Enrolled 1467-1469
Signed 1471
Sent to governor.....1497

176—By Balluff. To amend section one (1) of chapter sixty-eight (68) of the acts of the Thirty-fourth General Assembly relating to the assessment and collection of a tax upon collateral estates, annuities, legacies, bequests, gifts, transfers and inheritances.
Introduced and referred..... 291
Reported with amendments.. 682
Amendments adopted 733
Passed 733
Passed house 1283
Enrolled 1467-1468
Signed 1471
Sent to governor.....1496

177—By Robinson. To repeal the law as it appears in sections six hundred forty-seven (647), six hundred forty-eight (648), and six hundred fifty-one (651), of the supplement of the code, 1907, and to enact substitutes therefor, relative to the election and appointment of certain officers in cities and towns.
Introduced and referred..... 291
Reported 1014
Amended 1157
Title amended 1158
Passed 1158
Motion to reconsider....1159-1211
Amended 1211
Passed 1212
Passed house 1517
Enrolled 1608-1611
Signed 1633
Sent to governor.....1696

178—By Robinson. To repeal the law as it appears in section seven hundred eleven (711) of the code and enacting a substitute therefor relative to the powers of cities and towns in respect to prevention of fires, accidents from electrical apparatus, fire limits and the erection of structures within fire limits.
Introduced and referred..... 291
Substitute reported 402, 403
Substitute adopted 430
Passed 431
House amends and passes...1253

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Considered 1260
Senate concurs 1427
Enrolled 1571-1610
Signed 1580
Sent to governor.....1612

179—By Robinson. Authorizing cities to enact ordinances regulating the construction, alteration, enlargement or repair of buildings and structures, and to provide for the enforcement thereof.
Introduced and referred..... 291
Reported and referred..... 441
Reported unfavorably 1300
Indefinitely postponed 1300

180—By Robinson. To amend the law as it appears in section 2727-a-64 of the supplement to the code, 1907, entitled "removal of patients from county asylum."
Introduced and referred..... 292
Reported 425
Title amended 467
Passed 467
Passed house 1073
Enrolled 1179
Signed 1181
Sent to governor.....1268

181—By Neal. To repeal section twenty-one (21) and to amend section twenty-four (24) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly known as "The Military Code of Iowa."
Introduced and referred..... 306
Reported and referred.....1324
Returned and referred.....2273

182—By Neal. To amend sections twenty-six (26) and forty-three (43) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly known as "The Military Code of Iowa."
Introduced and referred..... 306
Reported and referred..... 681
Reported unfavorably 1546
Indefinitely postponed 1546
Motion to reconsider.....1572
Withdrawn 1923

183—By Legel. To amend the law as it appears in section twenty-seven hundred seventy-eight (2778), supplement to the code, 1907, and to provide for the employment of school superintendents for a term of years.
Introduced and referred. ... 308
Reported 905
Lost on passage..... 995
Motion to reconsider..... 995
Reconsidered and amended..1176
Lost on passage.....1176

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184—By Quigley. To amend section 2561, as it appears in the supplement to the code of 1907, for the protection of birds.
Introduced and referred..... 309
Reported unfavorably 999
Report of committee rejected. 1154
Passed; motion to reconsider. 1155
Motion to lay on table..... 1225

185—By Webber. Act establishing the state colony for epileptics and making an appropriation for the purchase of land and the erection of buildings for said colony.
Introduced and referred..... 311

186—By Heald. To repeal section four hundred seventy-nine (479) of the supplement to the code of 1907 and to enact a substitute therefor relating to the compensation of county auditors.
Introduced and referred..... 311
Report substitute 1871-1872
Amended 2083
Passed 2084
Passed house 2365
Enrolled 2457-2464
Signed 2466
Sent to governor.....2467

187—By Thomas. To establish three additional state normal schools and for the location of same and procure sites therefor, and making an appropriation therefor.
Introduced and referred..... 311
Reported unfavorably 516
Indefinitely postponed 516
Motion to reconsider.....1173

188—By Wilson of Appanoose. To provide for the assessment and taxation of osage, willow and other hedge fences adjacent to public highways.
Introduced and referred..... 311
Returned and referred.....2088

189—By Mattes. Creating the office of state examiners for counties, fixing their compensation, duties, terms of office and method of appointment, providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, reports and audits for counties, and providing penalties for violations of this act.
Introduced and referred..... 311
Reported and referred..1197-1198

190—By Smith. To provide for the appointment of a state registrar of vital statistics and for the immediate registration of all births and deaths throughout the state of Iowa by means of certificates of births and deaths; and burial or removal permits; to require prompt returns to the bureau of vital statistics at the capital of the state, as required to be established by the state registrar of vital statistics; to insure the thorough organization and efficiency of the registration of vital statistics throughout the state; to provide certain penalties; to repeal sections twenty-five hundred seventy-five-a-eleven, twenty-five hundred seventy-five-a-twelve, twenty-five hundred seventy-five-a-thirteen, twenty-five hundred seventy-five-a-fourteen and twenty-five hundred seventy-five-a-fifteen of the supplement of 1907 to the code of Iowa, and all acts and parts of acts in conflict herewith and to appropriate ten thousand dollars ($10,000) therefor.
Introduced and referred..... 323
Returned and referred.....2029

191—By Legel. For the prevention of accidents, providing indemnity to employees, creating a fund for the purpose, securing contributions thereto, creating a board and fixing their powers and duties relating to the subject matters of this act.
Introduced and referred..... 323
Additional copies printed.... 852
Returned and referred.....2030

192—By McColl. Additional to chapter 5, title 10 of the code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same.
Introduced and referred..... 326
Reported substitute 602-603
Passed 660-661
Passed house 864
Enrolled 1057
Sent to governor.....1058

193—By Legel. To repeal sections thirty-five hundred forty-three (3543) and thirty-five hundred forty-four (3544) of the code of Iowa, 1897, and to enact a substitute in lieu thereof relative to the filing of a lis pendens.
Introduced and referred..... 326
Returned and referred.....2030

194—By Neal. Making an appropriation to enable the state railroad commission to investigate and prosecute in-

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terstate cases before the interstate commerce commission.
Introduced and referred..... 326
Reported and referred..... 804

195—By Neal, Act making an appropriation to enable the state railroad commission to investigate and prepare cases affecting Iowa intrastate rates and services.
Introduced and referred..326-327
Reported and referred....804-805

196—By McManus. To repeal the law as it appears in section twenty-seven hundred twenty-seven-a eighty-five (2727-a-85) of the supplement to the code of 1907 and to enact a substitute therefor relating to the support of the state sanatorium for the treatment of tuberculosis.
Introduced and referred..... 327
Reported and referred..... 555
Reported with amendments.. 803-804
Amendments adopted 894
Amended 894
Title amended 895
Passed 895
House amends and passes....1926
Considered 1974
Senate concurs 2208
Enrolled 2326-2327
Signed 2331
Sent to governor.....2343

197—By Nye. To amend title five (5) chapter six (6) with reference to the levy and collection of special taxes for sidewalks and other street improvements.
Introduced and referred..... 327
Reported and referred..... 442
Returned and referred.....2030

198—By Wilson of Appanoose. To repeal section one thousand seventy-two (1072) of the supplement of the code, 1907, relating to the election of county officers and enacting in lieu thereof the following.
Introduced and referred..... 327
Reported unfavorably 1276
Indefinitely postponed 1276

199—By Malmberg. Relating to claims against estates, and providing for a limitation as to the time in which proof of same may be had (additional to chapter 3, title 17 of the code).
Introduced and referred..... 327
Report substitute 1194
Substitute adopted 1232
Passed 1232

200—By Neal. Enable the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg, and to appropriate money therefor and provide for the disbursement thereof.
Introduced and referred..... 355
Reported and referred..... 681
Reported with amendments.. 1055-1056
Made special order.....1436
Amendments adopted ..1512-1513
Passed 1513-1514
House amends and passes...2164
Considered 2169
Senate amends house amendment 2173
Concurs 2174-2175
House concurs 2320
Enrolled 2445-2448
Signed 2452
Sent to governor.....2459

201—By Spaulding. To provide for the establishment of a state farm for the detention, treatment and employment of defectives and persons convicted of crime; to make provision for the control and management thereof; to provide that persons shall be kept thereon, and to make an appropriation therefor.
Introduced and referred..... 355
Reported and referred....751-752
Reported unfavorably 1546
Indefinitely postponed ..2103-2104

202—By Thomas. Making it unlawful for a candidate for an office to promise support or influence in behalf of another for any position, place or office in consideration of such other supporting him, and also making it unlawful to solicit such support, and providing penalties therefor.
Introduced and referred..... 356
Returned and referred.....1912

203—By Wilson of Appanoose. Prescribing the liability of an employer to make compensation for injuries received by an employe in the course of employment, establishing an elective schedule of compensation, and regulating procedure for the determination of liability and compensation thereunder.
Introduced and referred..... 356
Returned and referred.....2030

204—By Jones. To repeal the law as it appears in sections twenty-seven hundred forty-three (2743), twenty-seven hundred forty-five (2745), twenty-seven hundred fifty-one (2751), twenty-seven hundred fifty-three (2753), twenty-seven hundred ninety (2790), twenty-seven hundred ninety-seven

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(2797), and twenty-seven hundred ninety-eight (2798) of the code, and sections twenty-seven hundred forty-four (2744), twenty-seven hundred fifty-two (2752), twenty-eight hundred (2800) and twenty-eight hundred one (2801) of the supplement to the code, 1907, and to enact substitutes therefor; and to amend the law as it appears in sections twenty-seven hundred fifty-four (2754), twenty-seven hundred ninety-four (2794), supplement to the code, 1907, and twenty-seven hundred ninety-four-a (2794-a), supplement to the code, 1907, as amended by the acts of the Thirty-fourth General Assembly, relative to the units of school organization.
Introduced and referred..... 356
Reported with amendments.. 726
Amendments adopted 817
Amended 818
Passed 818

205—By Savage. Requiring the teaching of elementary agriculture, domestic science and manual training in the public schools after a specified time.
Introduced and referred..... 360
Reported 487
Passed 585
Passed house 1252
Enrolled 1351-1353
Signed 1372
Sent to governor.....1391

206—By Wilson of Appanoose. To amend section one (1), chapter one hundred four (104), acts of the Thirty-third (33) General Assembly, describing the form of index of articles of incorporation, and making it the duty of the recorder to so index said articles.
Introduced and referred..... 366
Reported 1291
Passed 1432
House amends and passes...1802
Considered 1809
Senate concurs in house amendment 1886
Enrolled 1969-2026
Signed 2027
Sent to governor.....2028

207—By Wilson of Appanoose. To strike all of section 5484 following the word "state" in the third line thereof, making it competent to call attention to the failure of defendant to testify in his own behalf.
Introduced and referred..... 367
Reported unfavorably 384
Indefinitely postponed 404

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208—By Legel. To amend section 5 of chapter 154 of the session laws of the Thirty-third General Assembly, relative to fees received for hunting license.
Introduced and referred..... 367
Reported unfavorably ..1276-1277
Indefinitely postponed 1783

209—By Legel. To amend the law as it appears in section 4586 of the code, 1907, relative to making transcript from the docket of a justice of the peace.
Introduced and referred..... 367
Report substitute 497
Passed substitute 616
House amends and passes....2366
Considered 2374-2375
Senate concurs 2424-2425
Enrolled 2456-2464
Signed 2466
Sent to governor.....2467

210—By Boe. To amend the law as it appears in sections ten hundred fifty-six-a-twenty-five and ten hundred fifty-six-a-twenty-six (1056-a-25) and (1056-a-26) of the supplement to the code, 1907, as amended, and to provide for the appointment and powers of library trustees in certain cities.
Introduced and referred..... 367
Reported 543
Passed 639-640
House amends and passes....1029
Senate concurs in house amendment 1034
Enrolled 1168-1180
Signed 1181
Sent to governor.....1268

211—By Boe. To prohibit dances in the public high and grade schools or under the auspices of such schools or any organization or society thereof.
Introduced and referred..... 367
Reported 905
Lost on passage..... 991
Motion to reconsider..... 991
Considered 1489
Motion lost 1490

212—By McColl. To provide for the erection of a women's and children's building on the Iowa State Fair and Exposition grounds, and to make an appropriation therefor.
Introduced and referred..... 367
Reported 2086
Passed .....2188 to 2190
Passed house 2435
Enrolled 2465-2479
Signed 2480
Sent to governor.....2485

213—By Taylor. To amend section four thousand nine hundred and ninety-nine-a-thirty-five

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(4999-a-35) supplement to the code, 1907, as amended by chapter one hundred and seventy-six (176) acts of the Thirty-fourth General Assembly, relating to the pure drug act.
Introduced and referred..... 368
Reported with amendments.. 605
Amended 663
Made special order..... 663
Amended 782
Lost on passage..... 782

214—By Mattes. Authorizing the executive council of Iowa to incur expenses and make expenditure to procure data, make investigations and provide things not otherwise provided to enable said executive council to perform the duties imposed by law, and making appropriation therefor.
Introduced and referred..... 368
Reported 514
Passed 621
House amends and passes...1802
Considered 1808
Senate concurs 1921
Enrolled 2067-2068
Signed 2073
Sent to governor.....2075

215—By Nye. To amend section four thousand six hundred and four of the code of 1897, with respect to the competency of witnesses.
Introduced and referred..... 368
Reported unfavorably 574
Indefinitely postponed 574

216—By Thomas. To prohibit the use of a common drinking cup in public and private schools, state educational institutions, halls used for the purpose of meetings or entertainments, hotels, lodging houses, theaters, factories, or public or municipal buildings, in railroad trains and stations, and in other public places in the state of Iowa, and providing penalties for the violation of the same.
Introduced and referred..... 268
Reported unfavorably 1371
Indefinitely postponed 1592

217—By Malmberg. To repeal section 816 of the code, and to enact a substitute therefor, and to amend section 826 of the code relating to the lien of assessments for street improvements and sewers.
Introduced and referred...368-369
Reported unfavorably, context of same being included in S. F. 475.....1603
Indefinitely postponed 1603

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218—By Larrabee. Empowering boards of supervisors to appropriate money for educational purposes in relation to preventable diseases.
Introduced and referred..... 369
Reported unfavorably 572
Indefinitely postponed 773

219—By Sullivan. To provide for the transfer to the city or town treasurer of unclaimed funds in the treasury of the county where such unclaimed funds are the proceeds of an invalid tax levied to pay for the construction of an electric light plant for such city or town, and making the same a part of the general fund of such city or town.
Introduced and referred..... 369
Reported substitute 610
Passed 657
Passed house 1252
Enrolled 1352-1350
Signed 1372
Sent to governor.....1391

220—By Jones. Making it a misdemeanor for making untrue, deceptive or misleading statements in advertisements.
Introduced and referred..... 369
Reported unfavorably 496
Indefinitely postponed 496

221—By Jones. Legalizing the ordinances, resolutions and acts of the council of the incorporated town of Pacific Junction in Mills county, Iowa, so far as affected by the election of six members of said council instead of five.
Introduced and referred..... 370
Reported with amendments... 495
Amended and passed..... 591
Passed house 1074
Enrolled 1178-1179
Signed 1181
Sent to governor.....1269

222—By Spaulding. To amend the law relating to the penalty for failure to pay taxes when due as the same appears in code section fourteen hundred thirteen (1413); and to amend the law relating to the redemption of real estate from tax sale as the same appears in code section fourteen hundred thirty-six (1436); and to amend the law relating to tax sales of real estate by giving to counties the right to purchase real estate at tax sales and to own and dispose of the same.
Introduced and referred..... 381
Reported unfavorably 683
Indefinitely postponed 683

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223—By Darrah. Relating to elections and to permit a qualified voter to cast his ballot in any voting precinct within the state of Iowa and prescribing conditions and restrictions therefor.
Introduced and referred..... 381
Reported with amendments... 1273-1274-1275
Amendments adopted 1505
Passed 1508

224—By Doran. To amend section thirty-three (33), chapter seventy-two (72), acts of the Thirty-fourth (34) General Assembly relating to the distribution of the fees derived from the registration of motor vehicles.
Introduced and referred..... 382
Reported 772
Passed 832-833

225—By Wilson of Appanoose. To repeal sections 3722 and 3723 of the code, 1897, and enact in lieu thereof the following, which provides for a three-fourths verdict in all civil cases.
Introduced and referred..... 382
Reported unfavorably 496
Indefinitely postponed 1989

226—By Balluff. To repeal the law as it appears in sections twenty-six hundred ninety-one (2691) and twenty-six hundred ninety-two (2692) of the supplement to the code, 1907, and to enact a substitute therefor to provide for the support of the Iowa Soldiers' Orphans' Home.
Introduced and referred..... 382
Reported and referred..... 555
Reported 802-803
Passed 869
House amends and passes...1421
Considered 1424
Senate concurs 1426
Enrolled 1570-1610
Signed 1580
Sent to governor.....1612

227—By Arney. To amend the law as it appears in sections ten hundred seventy-two (1072), twenty-seven hundred forty-two (2742) and twelve hundred seventy-two (1272), supplement to the code, 1907, relating to the office of county superintendent of schools; to repeal section twenty-seven hundred thirty-four-b (2734-b), supplement to the code, 1907, relating to the office of county superintendent of schools and to provide for the election, qualifications, duties and compensation of a county superintendent of schools.

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Introduced and referred..... 382
Reported with amendments..1416
Withdrawn 1727

228—By Cowles. To amend section four thousand eight hundred twenty-three (4823) of the code pertaining to malicious mischief and trespass.
Introduced and referred..... 384
Reported 497
Passed 592-593
Senate requests return.....1439
Withdrawn from consideration 1439

229—By Neal. To appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa, and served in Iowa organizations and in the navy from Iowa during the civil war at a home coming during the state G. A. R. encampment at Des Moines, Iowa.
Introduced and referred..... 384
Reported and referred...654-655
Reported with amendments..1056
Made special order.....1436
Considered 1487
Amended 1488
Motion to reconsider.....1489
Motion to reconsider lost....1584
Passed 1584
House amends and passes....2288
Senate concurs 2293
Enrolled 2342-2385
Signed 2386
Sent to governor.....2388

230—By Neal. To appropriate money toward the expense of paving East Washington street in the city of Mount Pleasant, Iowa.
Introduced and referred..... 385
Reported and referred....555-556
Reported with amendments.. 863
Amendments adopted 909
Amended 909
Passed 909-910
House amends and passes...1997
Considered 2001
Senate concurs 2006
Enrolled 2130-2132
Signed 2137
Sent to governor.....2149

231—By Dunnegan. To amend the law as it appears in chapter eighty-three (83) of the acts of the Thirty-third (33) General Assembly relating to the issuance of bonds in cities and towns.
Introduced and referred..... 390
Report substitute 542
Failed to pass.....640-641
Motion to reconsider.....641
Reconsidered 663
Made special order..... 664
Passed 732
Passed house 1073
Enrolled 1352-1351
Signed 1372
Sent to governor.....1391

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232—By Ames. To repeal the law as it appears in section forty-two (42), acts of the Thirty-third General Assembly and to enact a substitute therefor providing for the selection of an official newspaper in cities and towns, and for the publication of the proceedings of city and town councils and providing compensation therefor.
Introduced and referred..... 391
Report substitute 1244
Substitute adopted 1428
Passed 1428

233—By Darrah. To provide for the election of delegates and alternate delegates to national conventions of political parties; for the election of party national committeemen; and for a preferential vote on president and vice-president of the United States (additional to chapter two-a (2-a) title VI of the supplement to the code, 1907, relating to primary elections).
Introduced and referred..... 391
Report substitute...1478 to 1484
Substitute adopted 1598
Passed 1599
House amends and passes....1925
Considered 1973-1974
Senate concurs 2047-2048
Enrolled 2152-2153
Signed 2169
Sent to governor.....2215

234—By Arney. To encourage corn and small grain growing in the state of Iowa and to aid in conducting an exposition and convention of the grain growers of the state and to make an appropriation therefor.
Introduced and referred..... 391
Reported and referred..... 666

235—By Cowles. To amend section one thousand one hundred eighty-seven (1187) of the code relative to sureties upon official bonds.
Introduced and referred..... 403
Reported 574
Lost on passage.....753-754
Motion to reconsider..... 754
Reconsidered 847
Passed 847
House indefinitely postponed.1475

236—By Jones. Making additional appropriations to the state historical society of Iowa.
Introduced and referred..... 403
Report substitute 803
Substitute adopted 893
Passed 894
Passed house 2119
Enrolled 2211-2212
Signed 2214
Sent to governor.....2215

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237—By DeWolf. Relating to fire insurance and prohibiting discrimination therein and rebate of the premium charged and providing a penalty therefor.
Introduced and referred..... 405
Reported 770
Made special order..... 849
Considered 1167
Made special order.....1167
Considered 1213
Amended 1214
Passed 1217
House amends and fails to pass 1575

238—By Webber. To amend the law as it appears in section six hundred thirty-nine (639) of the code relating to the classes of cities and towns.
Introduced and referred..409-410
Reported unfavorably 876-877
Indefinitely postponed 877

239—By Sheean. Amending section 2157-g of the supplement to the code, 1907, relating to the free issuing of transportation by common carriers of passengers in certain cases.
Introduced and referred..... 410
Reported unfavorably 601
Indefinitely postponed 602

240—By Gillette. To legalize deeds and instruments of conveyance, tax deeds, sheriff's deeds, deeds of administrators, executors, and guardians, and all other conveyances made and recorded prior to the first day of January, A. D. 1890, additional to chapter 6, title 14 of the code, relating to the conveyance of real estate.
Introduced and referred..... 410
Reported 729
Amended 815
Passed 815
Passed house 1577
Enrolled 1755-1790
Signed 1792
Sent to governor.....1793

241—By Doran. Making appropriations for additional improvements and land at the Iowa State Fair and Exposition grounds.
Introduced and referred..... 410

242—By Heald. Appropriating the sum of five thousand dollars ($5,000.00) to indemnify M. O. Clemens for personal injuries sustained by him while employed as engineer in the state sanatorium for the treatment of tuberculosis at Oakdale, Iowa.
Introduced and referred..... 410
Returned and referred.....1913
Reported and referred.....2059

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243—By Wilson of Appanoose. To amend the law as it appears in section twenty-nine hundred-a-twenty-one (2900-a-21), section twenty-nine hundred - a - twenty - two (2900-a-22), section twenty-nine hundred-a-twenty-four (2900-a-24) supplement to the code, 1907; and to repeal section twenty-nine hundred-a-twenty-seven (2900-a-27) supplement to the code, 1907, relating to meandered lakes and lake beds.
Introduced and referred..... 410
Reported unfavorably 1847
Indefinitely postponed 1847

244—By Spaulding. Repealing the law as it appears in section twenty-four hundred fifty (2450) supplement to the code, 1907, and providing a substitute therefor relating to statements of consent to keep for sale and sell intoxicating liquors under the mulct law.
Introduced and referred..... 425
Reported unfavorably 1616
Indefinitely postponed 1616

245—By Dunnegan. To amend section eight hundred twenty (820) of the code fixing time in which the city council or board of public works, where such board exists, shall ascertain the cost and prepare the assessment, plat and schedule relative to the special assessment of property for the making or reconstruction of street improvements.
Introduced and referred..... 424
Reported with amendments.. 541
Amended and passed.....638-639
Passed house 1474
Enrolled 1570-1610
Signed 1580
Sent to governor.....1613

246—By Wilson of Appanoose. Provide for the immediate registration of all births and deaths throughout the state of Iowa by means of certificates of births and deaths, and burial or removal permits; to require prompt returns to the bureau of vital statistics at the capital of the state, as required to be established by the state registrar of vital statistics; to insure the thorough organization and efficiency of the registration of vital statistics throughout the state; to provide certain penalties; to repeal all acts and parts of acts in conflict herewith, and to appropriate fifteen thousand dollars ($15,000) therefor.
Introduced and referred..... 424
Returned and referred.....2029

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247—By Sullivan. To amend section five hundred ten-b (510-b) supplement to the code, 1907, relating to sheriffs, deputy sheriffs and their compensation.
Introduced and referred..... 424
Returned and referred.....2433
Sifting committee returns...2462
Passed 2462

248—By Balkema. To amend the law as it appears in section 2575-a-9, chapter 16-a, supplement to the code, relating to annual appropriation for bacteriological laboratory.
Introduced and referred..... 425
Returned and referred.....2029
Reported and referred.....2059

249—By Heald. To repeal section twenty-one (21), chapter seventy-two (LXXII), of the acts of the Thirty-fourth General Assembly, relating to the powers of local authorities to regulate the use of motor vehicles upon streets and highways, and enacting a substitute therefor.
Introduced and referred..... 433
Reported with amendments.. 866
Amendments adopted 922
Amended 922
Passed 923
Motion to reconsider.....1000
Reconsidered 1429
Substitute offered 1429
Substitute adopted 1485
Amended 1485
Passed 1486
Passed house 1882
Enrolled 1969-2026
Signed 2027
Sent to governor.....2028

250—By Hilsinger. To repeal sections two (2), six (6), seven (7), eight (8), eleven (11), fifteen (15), sixteen (16) and twenty-two (22), of chapter seventy-two (72) of the acts of the Thirty-fourth General Assembly and to enact substitutes therefor relating to the registration and regulation of motor vehicles.
Introduced and referred..... 433
Reported 810
Passed 907
House amends and passes...1883
Considered 1890
Senate concurs 1919
Enrolled 2068
Signed 2073
Sent to governor.....2075

251—By Perkins. To amend the law as it appears in section two hundred and twenty-seven (227) of the code of Iowa, relative to judicial districts and the number of judges therein,

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and to provide for three judges in the tenth judicial district and for the appointment of the extra judge herein provided for.
Introduced and referred..... 436
Reported unfavorably 1111
Indefinitely postponed 1111

252—By Neal. To amend the law as it appears in sections eighty-six (86), ninety-eight (98), one hundred and fifteen (115) and two hundred and eleven (211) of the code, and sections twenty-six hundred and twenty-seven (2627) and two hundred and five (205), supplement to the code, 1907, relating to the compensation of the secretary of state, the auditor of state, the treasurer of state, the attorney general, the superintendent of public instruction and the clerk of the supreme court.
Introduced and referred..... 439
Report substitute and referred 1270
Reported substitute ...2200-2201
First substitute adopted.....2306
Second substitute withdrawn.2306
Passed 2306
Passed house 2474
Enrolled 2533-2535
Signed 2546
Sent to governor.....2559

253—By Robinson. To amend the law as it appears in section three (3), chapter one hundred seventy-four (174), laws of the Thirty-fourth (34th) General Assembly, relating to the misbranding of foods.
Introduced and referred..... 439
Returned and referred.....1913

254—By Jones. To repeal section six hundred ninety-one (691) of the code, relating to the jurisdiction in actions for the violation of city ordinances and to enact a substitute therefor.
Introduced and referred..... 440
Reported 778-779
Referred 858
Report substitute 1042-1043
Substitute adopted 1163
House amends and passes...1360
Senate concurs in house amendment 1367
Enrolled 1467-1469
Signed 1471
Sent to governor.....1497

255—By Webber. To amend section 887 of chapter II of title V of the code, relating to the levy of a tax by a city or town for the purpose of defraying its general and incidental expenses and fixing the limit thereof.

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Introduced and referred..... 440
Reported unfavorably 866
Indefinitely postponed 867

256—By Sullivan. To confer additional powers upon certain cities organized under chapter forty-eight (48) of the Thirty-second General Assembly of Iowa as the same appears in chapter fourteen-c (14c) of title five of the supplement to the code, 1907, providing for the levy and collection of a special tax for the benefit of the police division or department of the department of public safety.
Introduced and referred..... 440
Withdrawn 926

257—By Balluff. To repeal chapter twenty-six (26) of the acts of the Thirty-third (33) General Assembly and to enact a substitute therefor relating to the establishment and maintenance of hospitals by counties.
Introduced and referred..... 450
Returned and referred.....2280

258—By Sullivan. Authorizing cities and towns to license, regulate, prevent or prohibit the erection, maintenance or display of sign boards, bill boards and offensive advertisements and advertising matter, and repealing section seven hundred-b (700-b) of the supplement to the code, 1907.
Introduced and referred..... 450
Reported unfavorably 1015
Indefinitely postponed 1015

259—By Jones. To repeal section 2308-a of the supplement to the code, 1907, and to enact a substitute therefor relating to the payment of costs and expenses of non-resident insane patients.
Introduced and referred..... 451
Reported 1198
Passed 1212-1213
House amends and passes....1926
Considered 1975
Senate concurs 2009
Enrolled 2130-2132
Signed 2137
Sent to governor.....2149

260—By Jones. To amend section two thousand and eighty-five (2085) of the supplement to the code, 1907, relating to taxes in aid of railroads and in relation to the number of signatures of resident free holders to petitions therefor in cities acting under special charter, and cities having a population of twenty-five thousand (25,000) or over.

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Introduced and referred..... 451
Reported 875-876
Passed 920
Passed house 1577
Enrolled 1756-1791
Signed 1792
Sent to governor.....1792

261—By committee on retrenchment and reform. Repealing section one hundred and seventy-d (170-d) of the supplement to the code, 1907, and to enact a substitute in lieu thereof requiring all boards, commissions, departments, and officers of state to turn into the state treasury all fees collected.
Introduced and referred..... 451
Reported 470

262—By Thomas. To amend section two thousand seventeen (2017) of the code, relating to the right of railway companies to raise or lower highways where they are crossed by a railway, and giving the board of railroad commissioners authority to order under-grade or overhead crossings.
Introduced and referred..... 451
Report substitute 1328
Withdrawn 1590

263—By Perkins. To empower private cemetery associations to condemn land for additions to their cemeteries.
Introduced and referred..... 452
Reported 1291
Passed 1553-1554
Passed house 2287
Enrolled 2342-2385
Signed 2386
Sent to governor.....2388

264—By Webber. To repeal section 1872 of the code and section 1873 of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor, relating to the statements of state and savings banks and to the examination of such banks by the auditor and to the publication of the statements thereof in some newspaper.
Introduced and referred..... 458
Returned and referred.....1911

265—By McColl. Providing for the deposit by state and savings banks with the treasurer of the United States, of securities to secure postal savings deposits made in such banks under the provisions of the postal savings bank act.
Introduced and referred..... 458
Reported 889
Considered 985
Amended and passed.....995-996

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Passed house 2193
Enrolled 2326-2327
Signed 2331
Sent to governor.....2343

266—By Spaulding. To amend the law as it appears in section seven hundred forty-one-o (741-o) supplement to the code, 1907, relating to the election of city hospital trustees.
Introduced and referred..... 458
reported substitute 625
Amended and passed..... 658
Passed house 1073
Enrolled 1178-1179
Signed 1181
Sent to governor.....1268

267—By White. To amend section two thousand seventy-seven-a (2077-a) of the supplement to the code, 1907, relating to the posting of bulletins at railway stations.
Introduced and referred..... 458
Report substitute 1330
Substitute adopted, amended.1439
Passed 1440
House amends and passes...1925
Placed on calendar.....1973
Senate concurs 2007
Enrolled 2130-2131
Signed 2137
Sent to governor.....2150

268—By Boe. To prohibit the distribution of campaign literature on primary or election days, and fixing the penalty for a violation of this act.
Introduced and referred..... 458
Reported unfavorably 1010
Indefinitely postponed 1010

269—By Balkema. To regulate the hours of engineers and firemen operating stationary boilers and engines.
Introduced and referred..... 459
Reported unfavorably 1574
Indefinitely postponed 1575

270—By Kimball. To amend sections thirteen hundred thirty-four (1334), thirteen hundred thirty-four-a (1334-a), thirteen hundred thirty-seven (1337) of the supplement to the code, 1907, and to repeal section thirteen hundred thirty-eight (1338) of the code; and to enact a substitute therefor and all relating to the assessment and taxation of railways and to requirements of railway companies and duties of officers in connection therewith.
Introduced and referred..... 469
Extra copies printed..... 823
Returned and referred.....2030

271—By Allen. To declare certain diseases contagious and infectious, and to provide

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rules and regulations for the control of the same, and to fix punishment for violation thereof.
Introduced and referred..... 469
Reported 572
Withdrawn 1155

272—By Chase. To amend section one thousand six hundred fifty-seven-d (1657-d) and section one thousand six hundred fifty-seven-e (1657-e) of the supplement of the code of Iowa, 1907, relative to the election of district directors of the state board of agriculture.
Introduced and referred..... 469
Reported 1297
Passed 1556

273—By Allen. Repealing section 2024-i of the supplement of the code of Iowa of 1907 and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material assessable for general use for road improvement and providing punishment for use of said material for other than road purposes.
Introduced and referred..... 474
Reported unfavorably 773
Indefinitely postponed 773

274—By Allen. To amend the law as it appears in section twenty-six hundred twenty-two (2622), supplement to the code, 1907, and to repeal the law as it appears in section twenty-seven hundred thirty-eight (2738), supplement to the code, 1907, as amended by chapter one hundred thirty (130), acts of the Thirty-fourth General Assembly, relating to normal institutes.
Introduced and referred..... 474
Returned and referred.....1975

275—By Perkins. To establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act.
Introduced and referred..... 475
Reported 752
Passed 827-828
Passed house 1881
Enrolled 1969-2026
Signed 2027
Sent to governor.....2028

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276—By Jones. To reimburse innocent persons who have been, or may be convicted of crime and imprisoned in the state reformatory or state penitentiary.
Introduced and referred..... 479
Reported 689-690
Amended 791-792
Passed 792
House indefinitely postpones.1379

277—By Sullivan. To authorize the use and expenditure of the sinking fund provided for in chapter five (5) of the code of 1897.
Introduced and referred..... 479
Reported 778
Amended 833
Passed 833-834
Title amended 834
House amends and passes...2367
Senate concurs 2374
Enrolled 2445-2448
Signed 2452
Sent to governor.....2459

278—By Quigley. To amend section two (2) of chapter one hundred fifty-five (155) of the acts of the Thirty-third (33) General Assembly relative to mesh of nets and seines.
Introduced and referred..... 479
Reported 999
Withdrawn 1986

279—By Kimball. To repeal the law as it appears in section twenty-seven hundred twenty-four (2724) of the supplement to the code, 1907, and to enact a substitute therefor relating to admission to the school for the deaf and to reports by county superintendents of deaf persons.
Introduced and referred..... 479
Reported with amendments.. 752
Amendments adopted 820
Passed 821
Passed house 1253
Enrolled 1352-1351
Signed 1372
Sent to the governor.....1391

280—By Jones. Providing for the employment of prisoners upon the highways of this state, or in the construction and improvement of any public works.
Introduced and referred..... 498
Reported with amendments..1088
Amendments adopted 1184
Passed 1184
House amends and passes...2367
Senate concurs 2377-2378
Enrolled 2445-2448
Signed 2452
Sent to governor.....2460

281—By Jones. Regulating the employment of prisoners at the penitentiary at Fort Madi-

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son and making an appropriation therefor.
Introduced and referred..... 489
Reported and referred..... 844
Reported 1450
Passed 1503

282—By Farr. To prohibit trespassing on railway tracks, rights of way, cars and engines, and providing a penalty for the violation thereof.
Introduced and referred..... 489
Report submitted 805-806
Substitute adopted 895
Passed 896
Motion to reconsider..... 896
Considered 1156
Vote reconsidered 1443
Amended 1444
Passed 1444
House indefinitely postponed.1541

283—By Clarkson. To provide for and require instruction in public schools with reference to preventing accidents.
Introduced and referred..... 490
Reported 679
Passed 793

284—By Taylor. To amend the law as it appears in sections twenty-seven hundred twenty-seven-a fifty-eight (2727-a58), twenty-seven hundred twenty-seven-a fifty-nine (2727-a59), twenty-seven hundred twenty-seven-a sixty (2727-a60), twenty-seven hundred twenty-seven-a sixty-two (2727-a62); and to repeal section twenty-seven hundred twenty-seven-a sixty-three 2727-a63) of the supplement to the code, 1907, and to enact a substitute therefor; all relating to the powers of the board of control.
Introduced and referred..... 490
Reported 1403
Passed 1593

285—By Mattes. To provide for a filing and recording fee for real estate mortgages.
Introduced and referred..... 493
Reported unfavorably 1543
Indefinitely postponed 1543

286—By Gillette. To regulate the practice of suggestive therapeutics, in the treatment of mental and bodily ailments.
Introduced and referred..... 493
Reported unfavorably 1796
Indefinitely postponed 1797

287—By Kimball. To amend section two hundred twenty-seven (227) of the supplement to the code, 1907, relating to the division of the state into judicial districts and

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increasing the number of district judges in the fifteenth judicial district and providing for the appointment of a judge to fill the vacancy and for the election of a judge for the place at the next general election.
Introduced and referred..... 493
Returned and referred.....1913
Returned 2423
Amended 2423
Passed 2424
Passed house 2475
Enrolled 2516-2519
Signed 2524
Sent to governor 2530

288—By Kimball. To amend section one (1) of chapter fifteen (15) acts of the Thirty-fourth (34th) General Assembly relating to the salaries of clerks of the district courts in certain counties.
Introduced and referred..... 494
Reported unfavorably 1052
Indefinitely postponed 1052

289—By Sullivan. To amend the law as it appears in section twenty-four hundred seventy-two (2472) of the supplement to the code, 1907, and section twenty-four hundred seventy-four (2474) of the code, and to repeal section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and chapter one hundred forty-four (144) of the acts of the Thirty-third (33) General Assembly amendatory to section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and to enact a substitute therefor, all relating to the bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof.
Introduced and referred..... 499
Reported 1055
Referred 1102
Reported 1548
Amended 1777
Passed 1778
House amends and passes....2193
Considered 2283
Senate refuses to concur....2304
House insists and appoints conference committee 2360
Senate appoints conference committee 2361
Report conference committee.2418
Report adopted 2418
Passed 2419
House adopts report.....2442
Enrolled 2533-2534
Signed 2546
Sent to governor.....2559

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290—By Webber. Prescribing the liability of an employer to make compensation for injuries received by an employee in the course of his employment from a cause originating therein, establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder, repealing inconsistent laws and regulating insurance.
Introduced and referred..... 499
Returned and referred.....2030

291—By Francis. To legalize conveyances of real property by foreign executors or trustees under foreign wills where the provisions of section 3295 of the code were not observed or complied with.
Introduced and referred..... 499
Reported 665
Passed 790
Passed house 1626
Enrolled 1756-1791
Signed 1792
Sent to governor 1792

292—By Francis. To amend section 3707 of the code of 1897 relating to instructions to juries and exceptions thereto.
Introduced and referred..... 500
Reported unfavorably 1842
Indefinitely postponed 1842

293—By Francis. To amend sections 9 and 13 of chapter 118 of the laws of the Thirty-third General Assembly in relation to actions involving drainage districts.
Introduced and referred..... 500
Reported unfavorably 1297
Indefinitely postponed 1298

294—By Francis. To repeal section 3308 of the code of 1907 and to enact a substitute therefor relating to release and discharge of liens by foreign administrators, executors and guardians.
Introduced and referred..... 500
reported 1041
Passed 1164
Passed house 2192
Enrolled 2326-2327
Signed 2331
Sent to governor.....2343

295—By Francis. To amend the law as it appears in section nine (9) chapter one hundred fifty-three (153), acts of the Thirty-third General Assembly relating to the protection of fish and game; and to amend the law as it appears in chapter one hundred sixteen (116) of the acts of the Thirty-fourth General Assembly, relating to the compensation of the fish and game warden.

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Introduced and referred..... 500
Reported with amendments..1405
Amendments adopted 1596
Passed 1596
House amends and passes....1760
Considered 1766
Senate refuses to concur in house amendment 1920
House insists and appoints conference committee 2058
Senate appoints conference committee 2062
Reported by conference committee 2203-2204
Amended and passed 2205
House concurs 2321
Enrolled 2446-2448
Signed 2452
Sent to governor.....2459

296—By Francis. Relating to the granting of new trials, setting aside of verdicts and reversal of causes upon appeal to the supreme court and defining procedure.
Introduced and referred..... 500
Reported unfavorably 1852
Indefinitely postponed 1852

297—By Francis. Relating to the trial of divorce cases.
Introduced and referred..... 500
Reported unfavorably 1036
Indefinitely postponed 1037

298—By Francis. To amend section 4110 of the code of 1897 relating to appeals to the supreme court.
Introduced and referred..... 501
Reported unfavorably 1042
Indefinitely postponed 1042

299—By Francis. To amend section 3705 of the code of 1897 relating to instructions to juries.
Introduced and referred..... 501
Reported unfavorably 1538

300—By Francis. To legalize releases and discharges of judgments, mortgages and deeds of trust made by administrators, executors or guardians appointed in other states or countries where the provisions of section 3308 of the code were not observed or complied with.
Introduced and referred.... 501
Reported with amendments.. 875
Amendments adopted 919
Passed 919
Passed house 1626
Enrolled 1755-1790
Signed 1792
Sent to governor.....1793

301—By Francis. To amend section 3505 of the code of 1897 in relation to change of place of trial when a county is a party.
Introduced and referred..... 501
Reported unfavorably 1037
Indefinitely postponed 1037

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302—By Chase. To repeal the law as it appears in section nineteen hundred forty-eight (1948) of the supplement to the code, 1907, and to repeal the law as it appears in section nineteen hundred eighty-nine-a-fifteen (1989-a-15) of the supplement to the code, 1907, and to enact a substitute therefor, defining nuisances in construction of drainage ditches, and making the obstruction of such ditches and levees a misdemeanor.
Introduced and referred..... 501
Reported 874
Passed 918
Passed 1396
Enrolled 1466-1469
Signed 1471
Sent to governor.....1496

303—By Perkins. To discharge a bankrupt from judgments and providing for giving notice thereof.
Introduced and referred..... 510
Reported 1191
Passed 1563

304—By Ream. For the relief of the grantees of David E. Fry, and for the purpose of having patents issued in the names of W. F. Pomeroy and Arthur Dilley, for certain tracts of land.
Introduced and referred..... 511
Reported 809
Passed 898
House amends and passes...1626
Considered 1632
Senate concurs 1636
Enrolled 1837-1838
Signed 1902
Sent to governor.....1908

305—By Nye. To repeal the law as it appears in sections one (1), two (2), three (3) and five (5) of chapter sixty-three (63) of the acts of the Thirty-fourth (34) General Assembly, relating to the assessment and taxation of money, credits, corporation shares of stock, and other intangible property; to amend the law as it appears in section one thousand three hundred ten (1310) of the code relating to the same subject and to amend the law as it appears in section thirteen hundred eleven (1311) of the code providing for deducting debts from property listed for taxation.
Introduced and referred..... 511
Reported unfavorably 1277
Indefinitely postponed 1277

306—By committee on public utilities. Relative to public utilities, defining their rights, powers, remedies and duties; providing for their regulation and control; changing the name of the board of railroad commissioners to "public utilities commission;" enlarging and prescribing its powers and duties; providing for the appointment of two (2) additional members thereto and changing the method of appointment of all its members, as their terms expire; repealing all inconsistent acts and parts of acts and making an appropriation for carrying out the provisions of this act; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71), of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporations, and the powers and duties of the board of railroad commissioners as prescribed by law; also repealing all powers heretofore granted to cities and towns in conflict with this act and conferring on such cities and towns *certain additional powers*; also providing for physical valuation of public utilities by said commission and giving said commission authority to fix rates and regulate extensions of public utilities.
Introduced 511
Referred 512
Reported with amendments..1103
Amendments adopted 1109
Referred 1109
Reported 1173
Made special order.....1173
Amended 1262
Made special order.....1262
Amended 1304-1305-1307-1308
Amendments offered ...1309-1315
Amended .....1338 to 1348
Amended .....
....1372 to 1378-1380 to 1387
Amended .....
...1407 to 1410-1411-1412-1413
Passed 1413
Motion to reconsider tabled..1413
House amends by substitute and passes 1542
Senate refuses to concur in house substitute 1560
House insists on its amendments 1628
Appoints conference committee 1628
Senate appoints conference committee 1633
Report of conference committee.....2219 to 2271
Report of conference committee adopted 2341
Senate adopts amendments offered by conference committee 2341
House fails to pass....2398-2399

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307—By Mattes. To amend the law as it appears in section one hundred sixteen-a (116-a) of the supplement to the code, 1907, and to repeal the law as it appears in section one hundred sixteen-b (116-b) of the supplement to the code, 1907, providing that all the unused portions of all appropriations shall revert to the general fund at the end of the fiscal year.
Introduced and referred..... 528
Report substitute 1192
Substitute adopted 1230
Passed 1230

308—By Ream. To amend section two thousand four hundred forty-eight (2448) of the supplement to the code, 1907, two thousand four hundred forty-nine (2449) of the code of 1897, two thousand four hundred fifty-one (2451) of the supplement to the code, 1907, relating to the sale of intoxicating liqquors.
Introduced and referred..... 528
Reported unfavorably 1615
Indefinitely postponed 1615

309—By Ream. To provide the method of constructing and operating gypsum mines, for escape shafts and for the ventilation of such mines, to provide for the inspection of the same by the state mine inspector, to require operators to report fatal accidents and to provide penalties for violation of this act.
Introduced and referred..... 529
Reported 923
Passed 992
House amends and passes....1802
Considered 1810
Senate concurs 1812
Enrolled 1906-1967
Signed 1970
Sent to governor.....1970

310—By Allen. To authorize the appointment of special agents to aid in the detection, identification, capture and conviction of criminals, delinquents and defectives, and to require the co-operation and assistance of all sheriffs, police and peace officers and all other officers charged with the care, supervision and jurisdiction over criminals, delinquents or defectives.
Introduced and referred..... 529
Reported unfavorably 1848
Indefinitely postponed 1848

311—By Heald. To amend the law as it appears in section forty-nine hundred ninety-nine-a-four (4999-a-4) of the supplement to the code, 1907, providing for the safety and comfort of laborers and other persons assembled in factories and buildings.
Introduced and referred..... 529
Reported 770
Amended 890
Passed 891
Passed house 1282
Enrolled 1419
Signed 1437
Sent to governor.....1453

312—By Heald. Relating to sentence and commitment of persons convicted of felony and to repeal all acts and parts of acts in conflict therewith.
Introduced and referred..... 529
Reported unfavorably 1189
Placed unfavorably 1226
Substitute offered 1492
Substitute adopted 1782
Passed 1783

313—By Heald. To amend section two hundred and sixty-one of the supplement to the code of Iowa, 1907, relating to the removal of causes from the superior courts of the state of Iowa.
Introduced and referred..... 530
Reported unfavorably 1842
Indefinitely postponed 1842

314—By Smith. Authorizing the city council of Atlantic, Iowa, to transfer to the general fund money realized from a certain sewer tax levy made by said city.
Introduced and referred..... 530
Withdrawn 675

315—By Larrabee. To amend section nineteen hundred eighty-nine-a-thirty-four (1989-a-34) supplement to the code, 1907, requiring contractors to furnish proof of payment for material and labor on public drainage improvements before receiving final payment.
Introduced and referred..... 543
Report substitute 1192-1193
Substitute adopted 1230
Amended 1231
Passed 1231
Passed house 1627
Enrolled 1756-1791
Signed 1792
Sent to governor.....1792

316—By Webber. To legalize the adoption of certain propositions at an election of the county of Wapello, state of Iowa, with the effect of authorizing the board of supervisors of said county to purchase land for an addition to the county home

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farm of said county, and to incur indebtedness for the purchase of such land, and to levy a continuing annual tax to provide for the payment of such indebtedness.
Introduced and referred..548-549
Reported 664
Passed 788-789
Passed house 1283
House requests return.....1327
Request of house granted....1337
House amends and passes...1396
Senate concurs 1402
Enrolled 1570-1600
Signed 1580
Sent to governor.....1612

317—By Spaulding. To amend the law as it appears in section two hundred sixty-one (261) supplement to the code, 1907, relating to the removal of causes in superior courts.
Introduced and referred..... 550
Reported unfavorably 1299
Indefinitely postponed 1300

318—By Spaulding. To amend the law as it appears in section two hundred sixty-nine (269) of the code, and repealing section two hundred seventy (270) of the code and enacting a substitute in lieu thereof, relating to juries in superior courts.
Introduced and referred..... 550
Reported 1190
Passed 1226-1227
House indefinitely postponed..1475

319—By Dunneegan. To amend the law as it appears in section eight hundred twenty-three (823), supplement to the code, 1907, as amended by chapter forty-two (42), acts of the Thirty-fourth General Assembly, relating to street improvements and sewers.
Introduced and referred..... 550
Reported with amendments.. 778
Amendments adopted 891
Amended 891
Passed 892

320—By Heald. To amend section two thousand five hundred forty (2540) of the code, relating to the propagation of fish and the protection of birds and game.
Introduced and referred..... 550
Reported unfavorably 1404
Indefinitely postponed 1405

321—By Heald. Amending section two thousand one hundred fifty-seven-g (2157-g) of the supplement to the code, 1907, relating to the free issuing of transportation by common carriers of passengers in certain cases.

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Introduced and referred..... 550
Reported unfavorably 1060
Indefinitely postponed 1061

322—By Arney. To promote patriotism and to provide for the display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state.
Introduced and referred..... 550
Reported unfavorably 890
Referred 890
Reported with amendments..1720
Withdrawn 2072

323—By McManus. To amend section eight hundred sixteen (816) of the code, amendatory and additional to section eight hundred sixteen (816) of the code, relating to lien of tax.
Introduced and referred..... 551
Reported unfavorably 811
Indefinitely postponed 811

324—By Sullivan. To amend the law as it appears in chapter fourteen-c (14-c) of title V of the 1907 supplement to the code, as amended by chapter sixty-four (64) of the acts of the Thirty-third General Assembly, and chapters fifty-two (52) and fifty-five (55) of the acts of the Thirty-fourth General Assembly, relating to the government of certain cities and conferring additional powers upon such cities.
Introduced and referred..... 554
Reported unfavorably 1863
Indefinitely postponed 1863

325—By Sullivan. To amend section two thousand nine hundred thirty (2930) of the nineteen hundred seven (1907) supplement to the code of Iowa relating to the platting and transferring of real estate.
Introduced and referred..... 554
Report substitute 809
Substitute adopted 870
Passed 870
House amends and passes...2368
Senate concurs 2373
Enrolled 2466-2479
Signed 2480
Sent to governor.....2486

326—By committee on roads and highways. To create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission. To create a system of county and township road, bridge and culvert construction and maintenance, and to

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prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township and other officers and employers with reference thereto. To fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, relating to highway commission, and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund.
Introduced 567
Placed on calendar..... 567
Withdrawn 1155

327—By Boe. To amend section two thousand seventy-seven (2077) of the supplement to the code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state, at which fairs or expositions are or may hereafter be held.
Introduced and referred..... 567
Reported 1060
Amended 1486
Passed 1487
House amends and passes....1979
Considered 1983
Senate refuses to concur....2046
House insists; appoints conference committee 2092
Senate appoints conference committee 2095
Report of conference committee 2317
Amendments offered by conference committee adopted.2318
House concurs 2436
Enrolled 2533-2535
Signed 2546
Sent to governor.....2560

328—By Doran. To confirm the title of Anna L. Edgar to the west one-half (w½) of the southwest quarter (sw¼) of section two (2), township eighty-nine (89), north, range thirty-four (34), west fifth P. M., Iowa, and authorize the issuance of a patent therefor.
Introduced and referred 567
Reported with amendments.. 877
Amendments adopted 921
Passed 921-922
Passed house 1626
Signed 1792
Enrolled 1756-1791
Sent to governor 1792

329—By Thomas. To establish a minimum wage for teachers in the public schools of the

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state, prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same.
Introduced and referred 569
Reported with amendments.. 905
Amended and passed 992-993
House amends and passes ...2366
Senate concurs 2372
Enrolled 2457-2464
Signed 2466
Sent to governor 2467

330—By McManus. To repeal sections seven hundred twenty (720), seven hundred twenty-five (725), supplement to the code, 1907, providing that cities operating under the general incorporation laws, special charter and commission plan shall have power to establish, erect, purchase and acquire, lease, sell, maintain and operate, within or without the corporate limits of any city or town, heating plants, water works, gas works, or electric light or electric power plants, or telephone system or plant, or any other public service plant, or to grant to individuals or private corporations the authority to erect and maintain such works, plants or systems and to fix or regulate rates or service for use of said plants, fixtures and appurtenances contemplated under this act.
Introduced and referred 600
Returned and referred 1975

331—By Robinson. To amend section twenty-seven hundred ninety-two (2792) of the code of 1897 relating to the restoration of territories to the school district from which it has been taken.
Introduced and referred 601
Reported and referred 899
Report substitute 1529
Substitute adopted 1742
Passed 1742
Passed house 1925
Recalled from committee on Enrolled Bills 2146
Lost in passage 2147

332—By Balkema. To repeal section 1347-a of the supplement to the code, 1907, relating to the vocation of peddlers, defining the term peddlers so as to include soliciting agents and 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..... 607
Returned and referred.....1913

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333—By Balkema. Providing for the license of certain classes of temporary or transient merchants doing business in cities or incorporated towns, defining the same and the manner of issuing licenses, regulating the advertising and representation of such merchants and providing for penalties for the violation thereof.
Introduced and referred...607-608
Reported 1290
Amended 1561
Passed 1562
Passed house 2368
Enrolled 2465-2479
Signed 2480
Sent to governor 2485

334—By Kimball. Providing for the assessment of the cost of main sewers to the property within the territory drained and defining adjacent property relative thereto, and amending section eight hundred forty-d (840-d) of the supplement to the code, 1907, relating to the construction of main sewers and paying the cost thereof.
Introduced and referred 608
Reported 1243
Amended 1445
Passed 1445
House amends and passes....1883
Senate concurs in house amendments 1888
Enrolled 1970-2027
Signed 2027
Sent to governor 2028

335—By Kimball. To repeal the law as it appears in chapter two hundred twenty (220), acts of the Thirty-third General Assembly, and to amend the law as it appears in section forty-nine hundred ninety-nine-a-nine (4999-a-9) supplement to the code, relating to protection against fire and providing means for escape.
Introduced and referred..... 608
Reported unfavorably 1864
Indefinitely postponed 1864

336—By Perkins. To provide for the restoration of lost or destroyed public records.
Introduced and referred 608
Reported 1037
Withdrawn 1554

337—By Cowles. To amend the law as it appears in section one thousand nine hundred eighty-nine-a-eleven (1989-a-11) and section one thousand nine hundred eighty-nine-a-forty-nine of the supplement to the code, 1907, by repealing section one thousand nine hundred eighty-nine-a-eleven (1989-a-11) and section one thousand nine hundred eighty-nine-a-forty-nine (1989-a-49) as amended and enacting in lieu thereof the following.
Introduced and referred..... 608
Reported unfavorably 1846
Indefinitely postponed 1846

338—By Cowles. To repeal the law as it appears in section one thousand nine hundred eighty-nine-a-six (1989-a-6) of the supplement to the code, 1907, and to enact the following in lieu thereof.
Introduced and referred 608
Reported unfavorably 1190
Indefinitely postponed 1190

339—By Ream. To provide for the establishment of district custodial farms for the detention, treatment and employment of persons convicted of crime; to make provisions for the control and management thereof; to provide what persons convicted of crime shall be kept thereon, and to make an appropriation therefor.
Introduced and referred 611
Reported with amendments and referred 1087

340—By Perkins. To make appropriation enabling the governor of the state of Iowa to investigate all patents on bridges and culverts and all cements entering into the construction of bridges and culverts and authorizing the governor to defend in all cases brought to enforce any claims against any engineer or contractor for violating any patents on cement bridges or culverts.
Introduced and referred..... 624
Returned and referred 2162

341—By Kimball. To amend section three thousand seven hundred sixty-four (3764) of the code, relating to the dismissal of actions.
Introduced and referred 624
Reported unfavorably 1039
Indefinitely postponed 1039

342—By Kimball. Permitting the payment of special assessments for drainage purposes by warrants drawn upon the drainage fund.
Introduced and referred 625
Reported 1849
Withdrawn 2118

343—By Sullivan. To create a board of tax commissioners in counties having a population of seventy-five thousand (75,000) or more, according to the last census, and defining the powers and duties thereof.
Introduced and referred..... 626
Reported with amendments..1541

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344—By Legel. To amend section seven hundred ninety-three (793) of the code, relative to street improvements and special assessments.
Introduced and referred 633
Reported unfavorably 865
Indefinitely postponed 865

345—By Garrett. To amend the law as it appears in section four hundred ninety (490), supplement to the code, 1907, relating to the compensation of county treasurers.
Introduced and referred 633
Withdrawn 723
Returned to senate 796

346—By Farr. In relation to divorces and the time of the trial of actions for a divorce and providing for the prevention of the publication of allegations in petitions and other pleadings relating to divorce actions and for the destruction of papers and files where actions for divorce are dismissed or withdrawn by an agreement of the parties before trial and to amend section three thousand six hundred fifty-six (3656) of the supplement to the code of nineteen hundred and seven (1907).
Introduced and referred..... 633
Reported unfavorably 1188
Indefinitely postponed 1444

347—By Robinson. To amend section three hundred forty-two (342) of the code and the law as it appears therein relating to the drawing of jurors.
Introduced and referred 635
Reported unfavorably 1044
Indefinitely postponed 1044

348—By Kimball. To repeal section two hundred twelve (212) of the supplement to the code, 1907, relating to the appointment of an assistant attorney general and to his salary, and to enact a substitute therefor.
Introduced and referred 635
Reported and referred 1187
Reported with amendments...2201
Amended and passed 2314
Passed house 2493
Enrolled 2533-2535
Signed 2546
Sent to governor 2559

349—By Dunnegan. To amend the law as it appears in section eight hundred twenty-five (825) of the code, relating to street improvements and sewers.
Introduced and referred 636
Reported 777
Passed 868-869

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Passed house 1803
Enrolled 1906-1967
Signed 1970
Sent to governor 1970

350—By Wilson of Appanoose. To provide for the appointment of a commission to select and draw grand and petit jurors, including talesmen, in counties having a city with a population of over twenty-five thousand (25,000) and prescribing the duties thereof.
Introduced and referred.... 653
Returned and referred.....2030

351—By Legel. To promote horticulture by the creation of new and better adapted varieties through scientific cross-breeding and selection, and to make an appropriation therefor.
Introduced and referred.... 653
Reported and referred.....1052
Reported with amendments...1281
Amendments adopted 1510
Passed 1510
Passed house 1803
Enrolled 1907-1968
Signed 1970
Sent to governor 1971

352—By Balkema. To repeal section three (3) of chapter one hundred eighty-four (184) of the acts of the Thirty-third (33) General Assembly, and to enact a substitute therefor relative to notice of publication in certain school elections, and prescribing form of ballot.
Introduced and referred..... 653

353—By Chase. Providing for the record title of lands granted to Dubuque and Pacific Railroad company.
Introduced and referred 667
Reported 807
Passed 870-871
Passed house 1282
Enrolled 1419-1420
Signed 1437
Sent to governor 1453

354—By Sullivan. To amend the law as it appears in section thirty-five hundred thirty-four (3534) of the code relating to service of original notice, by publication.
Introduced and referred..... 667
Reported 810
Passed 903
Passed house 1996
Enrolled 2067-2069
Signed 2073
Sent to governor 2075

355—By Sullivan. To amend the law as it appears in section four thousand nine hundred seventy-five-c (4975-c) of the supplement to the code,

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1907, relating to soliciting for the purpose of prostitution.
Introduced and referred..... 668
Reported 877
Passed 920-921
Passed house 2436
Enrolled 2466-2478
Signed 2480
Sent to governor 2486

356—By Francis. To amend chapter two hundred twenty-seven (227) of the acts of the Thirty-third General Assembly, amendatory of section five thousand two hundred eighty-nine (5289) of the code, relating to the sufficiency of indictments and the waiver of objections thereto.
Introduced and referred..... 668
Reported unfavorably 1531
Indefinitely postponed 1531

357—By Smith. To amend chapter sixty-two (62) of the acts of the Thirty-fourth (34th) General Assembly by striking out the last four (4) lines of section one (1) of said chapter and enacting a substitute therefor relating to exemption from taxation of property of an honorably discharged union soldier or sailor of the Mexican war or the war of the rebellion or of the widow of such soldier or sailor.
Introduced and referred..... 674
Reported 1542
Passed 1787-1788
House amends and passes....2289
Senate concurs 2290-2291
Enrolled 2343-2384
Signed 2386
Sent to governor 2387

358—By Smith. Legalizing a resolution passed by the council of the city of Atlantic on February twenty-seventh (27th), nineteen hundred thirteen (1913), transferring the sum of eighteen hundred dollars ($1,800.00) from the sewer fund of said city to the general fund of said city of Atlantic, Iowa, and legalizing such transfer.
Introduced and referred..... 674
Reported with amendments...1188
Amendments adopted 1209
Passed 1209
Passed house 1708
Enrolled 1837-1839
Signed 1902
Sent to governor 1907

359—By Wilson of Appanoose. To amend section 1789 of the code, 1897, relative to a change of the beneficiary.
Introduced and referred..... 675
Reported unfavorably 806
Indefinitely postponed 806

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360—By McManus. To provide for the improvement of the water and harbor fronts of incorporated or chartered cities and towns situated on navigable waterways within or bordering on the state of Iowa; for the acquirement, construction, maintenance and operation of public docks, and for the acquirement, construction, maintenance and operation of public docks, and for the acquirement by condemnation or otherwise of lands or rights or interest therein for same; to create a department to be administered by a board to carry on such work and to regulate and control the construction, maintenance and operation of belt railways, wharves, docks, slips, quay walls, piers, basins, other waterfront lands or rights or interests therein, in said cities and towns; to authorize the issuance and sale of bonds and to levy a tax for carrying out the above purposes.
Introduced and referred...675-676
Reported with amendments..
..... 1864-1865
Amendments adopted 2121
Passed 2122
Passed house 2509
Enrolled 2548-2553
Signed 2555
Sent to governor 2557

361—By McManus. To repeal section three hundred (300) of the code, and amend chapter nine (9) article four (4) of the code, delating to duties of county officers.
Introduced and referred.....676

362—By McManus. To authorize the board of supervisors of counties to compel persons or corporations owning or operating railroads, to construct viaducts over railroads at crossings of highways and to construct tunnels under railroads for the passage of highways.
Introduced and referred.... 676
Reported unfavorably 1866
Indefinitely postponed 1866

363—By Kimball. For the purpose of having a patent issued in the name of T. F. McCaffery for a certain tract of land.
Introduced and referred..... 676
Reported 806-807
Passed 896-897
Passed house 1625
Enrolled 1756-1791
Signed 1792
Sent to governor 1792

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364—By Kimball. Providing for the protection and safety of persons employed in or being about the construction, repairing, alteration or removal of buildings, bridges, viaducts, and other structures, providing means for the enforcement of said act, for recovery of damages by persons injured by a failure to comply with its provisions and providing penalties for violations of its provisions.
Introduced and referred 676
Returned and referred 2030

365—By Perkins. To prevent fraud in the manufacture and sale of commercial fertilizers, providing for licensing of such products and making provision for enforcement.
Introduced and referred...676-677
Reported unfavorably 1426
Indefinitely postponed 1426

366—By Malmberg. To amend section 3447 of the code, relating to the limitation of actions to set aside wills.
Introduced and referred 677
Reported with amendments.. 1298-1299
Withdrawn 1589

367—By Cowles. Relating to levees, drains, ditches and water courses additional to chapter two (2), title X of the code and amendments thereto and to chapter two-a (2-a), title X of the supplement to the code, 1907, and amendments thereto and amending section one thousand nine hundred eighty-nine-a-twenty-one (1989-a-21) and section one thousand nine hundred eighty-nine-a-fifty-two (1989-a-52) of the supplement to the code, 1907, and section one thousand nine hundred eighty - nine - a - forty-nine (1989-a-49) as amended by section seven (7), chapter eighty-seven (87), laws of the Thirty-fourth General Assembly.
Introduced and referred 677
Reported with amendments...1532
Amendments adopted 1730
Amended 1730
Passed 1730-1731
Passed house 2454
Enrolled 2516-2519
Signed 2524
Sent to governor 2530

368—By Darrah. To require the registration of charitable organizations soliciting public aid and providing penalty for the violations thereof.
Introduced and referred..... 677
Reported 1353

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Considered 1590
Amended 1783-1784
Referred with instructions...1784
Reported with amendments.. 1854-1855
Amended 1966
Amendments adopted 1966
Passed 1966
Passed house 2193
Enrolled 2325-2327
Signed 2331
Sent to governor.....2344

369—By Allen. Fixing the standard of qualifications of all persons desiring to practice mechanical therapy and for the regulation thereof; to create a state board of mechanical therapeutics examiners, and to provide for the registration of those entitled to practice mechanical therapy, and providing penalties for violation of any of the provisions thereof.
Introduced and referred.... 677
Reported with amendments.. 1348-1349
Amendments adopted 1579
Amended 1580
Passed 1582
Motion to reconsider and to lay that motion on the table.1583
Vote reconsidered 1643-1644
Lost in passage 1644

370—By Francis. To amend section forty-seven hundred fifty-nine (4759) of the code relating to the crime of abortion.
Introduced and referred..... 678
Reported unfavorably 1844
Indefinitely postponed 1844

371—By Francis. Amending the law as it appears in section two thousand seven hundred twenty - seven - a - fifty-nine (2727-a-59), a-sixty-two (a-62) and a-sixty-six (a-66) of the supplement to the code, 1907, relating to the care and control by the board of control of private hospitals and patients therein.
Introduced and referred 678
Returned and referred 1912

372—By Sullivan. To amend section five thousand six (5006) of the code, relating to the sale of cigarettes.
Introduced and referred 688
Reported unfavorably 1195
Indefinitely postponed 1195

373—By Sullivan. To amend section four thousand eight hundred ninety (4890) of the code relating to compounding lesser felonies and misdemeanors.
Introduced and referred 688
Reported 1196
Indefinitely postponed 1225

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374—By Sullivan. To repeal section three hundred eight (308) of the supplement to the code, 1907, relating to the salary of county attorneys and enacting a substitute therefor.
Introduced and referred 688
Returned and referred.....2030

375—By Sullivan. To amend section four thousand six hundred twelve (4612) of the code relating to criminating questions propounded to witness in certain cases.
Introduced and referred..... 688
Reported 1039
Passed 1150
Passed house 2454
Enrolled 2518-2517
Signed 2524
Sent to governor 2529

376—By Francis. To legalize ordinances of the town of Ayrshire, Iowa, and authorizing the substitution of a new ordinance record in place of the original record.
Introduced and referred 689
Reported 875
Passed 913
Passed house 1253
Enrolled 1351-1352
Signed 1372
Sent to governor 1391

377—By Ream. To amend section four thousand six hundred six (4606), chapter one (1), title twenty-three (XXIII) of the code of 1897 and the amendments thereto, in relation to husband and wife as witnesses.
Introduced and referred.... 689
Reported unfavorably 1041
Indefinitely postponed 1041

378—By Arney. To amend section twenty-one hundred and thirteen (2113) of the supplement to the code, 1907, as amended by chapter one hundred twenty-seven (127) of the acts of the Thirty-third General Assembly relating to the powers of the board of railroad commissioners.
Introduced and referred 713
Reported 1060
Passed 1187
Passed house 1709
Enrolled 1836-1839
Signed 1902
Sent to governor 1907

379—By Doran. To repeal sections one (1) and two (2), chapter twenty-nine (29), laws of the Thirty-fourth General Assembly of Iowa.
Introduced and referred 713
Reported unfavorably 811
Indefinitely postponed 811

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380—By Sullivan. To repeal the law as it appears in section two hundred fifty-four-a-eighteen (254-a-18) of the supplement to the code, 1907, as amended by chapter ten (10), acts of the Thirty-fourth (34th) General Assembly and to enact a substitute therefor, relating to the appointment, duties and compensation of probation officers.
Introduced and referred..... 713
Reported with amendments...1053
Amendments adopted 1174
Passed 1175

381—By Smith. To repeal section five (5) of chapter ninety-four (94) of the acts of the Thirty-fourth General Assembly and to enact a substitute therefor relating to the duty of commerce counsel.
Introduced and referred 722
Reported with amendments...1866
Amended and passed ...2032-2033
Passed house 2453
Enrolled 2516-2519
Signed 2524
Sent to governor.....2530

382—By Taylor. To regulate the compounding, manufacture and sale of certain habit forming and other drugs or medicines, and preparations containing same.
Introduced and referred..... 722
Reported 1087
Amended 1180-1181
Passed 1181
House fails to pass.....2164

383—By McManus. To amend the law as it appears in chapter eleven-c (11c) of title thirteen (XIII) of the supplement to the code, 1907, relating to the state sanatorium for the treatment of tuberculosis, to provide for the care of advanced cases in said sanatorium and making an appropriation therefor, and to repeal the law as it appears in section twenty-seven hundred twenty-eight-a-eighty-six (2727-a-86) of the supplement to the code, 1907, and to enact a substitute therefor, requiring counties to pay for the care of patients in the sanatorium and making such patients and persons legally bound for their support liable to counties for money so paid.
Introduced and referred..... 722
Reported and referred 1198
Reported with amendments..2347
Amended and passed ..2406-2407
Passed house 2490
Enrolled 2534-2535
Signed 2546
Sent to governor 2560

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384—By Garrett. To amend the law as it appears in sections four hundred ninety (490) of the supplement to the code, 1907, and four hundred ninety-one (491) of the code, 1897, relating to the compensation of county treasurers and their deputies.
Introduced and referred 723
Reported 1059-1060
Passed 1175
House amends and passes....1980
Enrolled 2151-2153
Signed 2169
Sent to governor 2216

385—By Chase. Making provision for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines river improvement grant as school lands.
Introduced and referred 723
Reported and referred 1189

386—By Cowles. Relating to the granting of loan or cash surrender values on insurance contracts; and to amend the law as it appears in sections seventeen hundred thirty-nine (1739) and eighteen hundred twenty-four (1824) of the code, sections thirteen hundred thirty-three (1333), thirteen hundred thirty-three-d (1333-d), eighteen hundred six (1806), and eighteen hundred thirty-nine-l (1839-l), of the supplement to the code, 1907, section two (2), of chapter one hundred thirteen (113), of the acts of the Thirty-third General Assembly, and to repeal section eighteen hundred thirteen (1813) of the code and to enact a substitute therefor, relating to insurance.
Introduced and referred..... 723
Reported with amendments... 1618-1619
Amended and passed ...2272-2273

387—By Sullivan. To legalize the proceedings of the city council of the city of Des Moines, Iowa, for the construction of the Seventh ward sewer system in said city.
Introduced and referred..... 737
Reported 875
Passed 899
Passed house 1144
Enrolled 1178-1180
Signed 1181
Sent to governor 1269

388—By Sullivan. To legalize certain decrees of courts entering in actions to annul marriages, in which service of the original notice was made by publication.

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Introduced and referred..... 737
Reported 874
Passed 917
Passed house 1625
Enrolled 1756 1791
Signed 1792
Sent to governor 1793

389—By Sullivan. Authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employes, providing the powers, duties and compensation of such board and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making appropriation therefor.
Introduced and referred 738
Reported with amendments and referred 1292
Reported 1840
Made special order 1876
Considered 1927
Amended 1928
Passed 1929
Senate requests return.....2362
House returns 2440

390—By Francis. To invest the district courts of the state of Iowa with jurisdiction and authority to restrain violations of any law heretofore or hereafter enacted to protect the public and trade and commerce against unlawful restraints trusts, conspiracies, combinations and monopolies, or unfair discrimination between different sections, communities and localities; to cause any person within the state of Iowa to be made party to an action pending in any court in this state, and to require any person, firm, association or corporation to respond to a subpoena in any court in this state and to give testimony and produce any books, papers or documents in any hearing, investigation, proceeding or prosecution for the violation of any laws relating to pools, trusts, conspiracies, combinations or monopolies, or prohibiting unfair discrimination between different sections, communities or localities, and to provide immunity to the persons so testifying.
Introduced and referred ..738-739
Returned and referred.....2030

391—By Sheean. To legalize the proceedings of the city council of the city of Tipton, Iowa, for the construction of a sewer system.

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Introduced and referred 739
Reported 810
Passed 906
Passed house 1074
Enrolled 1178-1179
Signed 1181
Sent to governor 1269

392—By Legel. To amend section thirty-five hundred five (3505) of the code, relating to place of trial.
Introduced and referred 740
Reported unfavorably 1038
Indefinitely postponed 1038

393—By Arney. To amend section two (2) of chapter one hundred and ninety (190), laws of the Thirty-third (33rd) General Assembly relative to the library commission and traveling library.
Introduced and referred..... 740
Report substitute 1614
Substitute adopted 1773
Passed 1773
Passed house 1882
Enrolled 1969-2026
Signed 2027
Sent to governor 2029

394—By White. To repeal section three (3), chapter one hundred seventeen (117) of the acts of the Thirty-third General Assembly, and to enact a substitute therefor relating to the construction of levees, ditches or drains by owners of lands for agricultural, sanitary or mining purposes across the lands of others, and providing for the condemnation of such lands as may be necessary for the construction and maintenance of such levees, ditches or drains.
Introduced and referred..... 748
Reported unfavorably 1845
Lost on passage 2116
Motion to reconsider.....2169

395—By Kimball. To prohibit by penalty the transportation by common carrier or the offering for transportation to a common carrier any dangerous explosive marked as other than an explosive, or unless marked with the true name of the explosive.
Introduced and referred 749
Reported with amendments...1868
Amended and passed ...2123-2124

396—By Kimball. To amend section two hundred fifty-four-a-nineteen (254-a-19) of the supplement to the code, 1907, and relating to the powers of court over publication of proceedings or matters in juvenile cases.
Introduced and referred..... 749
Reported unfavorably 876
Indefinitely postponed 876

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397—By Balluff. To make section eight hundred seven (807) of the code applicable to cities under special charter. Be it enacted by the general assembly of the state of Iowa: Section 1. That section eight hundred seven (807) of the code be and the same is hereby made applicable to cities under special charter.
Introduced and referred..... 749
Reported 865
Passed 990-991
Passed house 1474
Enrolled 1570-1610
Signed 1580
Sent to governor 1613

398—By Balluff. Amending section nine hundred twenty-two (922) of the supplement to the code, 1907, relating to plats by auditor, providing that no such plats shall be made for real estate situated in cities acting under special charter. Be it enacted by the general assembly of the state of Iowa: Section 1. That section nine hundred twenty-two (922) of the supplement to the code, 1907, be and the same is hereby amended by adding thereto the following: "Real estate situated in cities acting under special charter shall not be platted by the auditor under this section."
Introduced and referred 749
Reported 867
Passed 1156
House passes 2059
Enrolled 2152-2154
Signed 2169
Sent to governor 2216

399—By Doran. To amend section fifteen hundred one (1501) of title eight (8), chapter one (1), of the code, relating to the exemption of petitioners from the payment of damages for the establishment of a public highway, upon a section line, relocation or vacation thereof.
Introduced and referred 750
Reported 1853
Passed 2039-2040

400—By Malmberg. Relating to elevators and warehouses on railroad land and prescribing methods and conditions of procuring and holding sites therefor, and liability for loss or destruction thereof.
Introduced and referred..... 750
Returned and referred.....1912

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401—By Webber. To punish the making or use of false statements to obtain property or credit.
Introduced and referred..... 750
Reported 1086
Passed 1223

402—By Webber. To amend section one thousand eight hundred seventy (1870) supplement to the code, 1907, relating to limiting liabilities to state and savings banks.
Introduced and referred..... 750
Returned and referred.....1911

403—By Webber. Relative to payment of deposits in trust.
Introduced and referred..... 751
Returned and referred.....2030
Sifting committee returns....2217
Passed 2218

404—By Webber. To punish derogatory statements affecting banks.
Introduced and referred..... 750
Reported unfavorably 1086
Indefinitely postponed 1086

405—By Webber. To amend section one thousand three hundred thirty-three (1333) of the code, relating to insurance companies.
Introduced and referred..... 750
Returned and referred.....2029

406—By Kimball. To repeal section three thousand one hundred and thirty-eight of the supplement to the code, 1907, and chapter one hundred ninety-five (195) of the laws of the Thirty-third General Assembly and to enact a substitute therefor the following relating to the care of property belonging to guests of hotels and inns and liability for the loss thereof and to the lien of hotel and inn keepers thereon, and for providing a method for enforcing such lien.
Introduced and referred..... 756
Reported and referred.....1534
Reported with amendments..1768
Amended and passed...2104-2105
Senate requests return.....2442
House returns 2510

407—By Kimball. To repeal chapter one hundred sixty-eight (168) of the acts of the Thirty-third (33rd) General Assembly, and to enact in lieu thereof the following relating to hotels, public lodging houses and restaurants, defining the same and prescribing rules for their operation and maintenance, so as to insure the safety and health of employes and patrons of same, providing for inspection thereof, establishing a hotel commission and providing for a hotel commissioner, and for the licensing of hotel and restaurant keepers, and fixing penalties for violation of such rules and regulations.
Introduced and referred..... 756
Reported with amendments.. 1769-1770
Amended 2111-2112
Special order 2113
Amended 2274
Made special order.....2275
Amended 2302
Lost on passage.....2302-2303
Motion to reconsider.....2505
Reconsidered 2505
Amended 2505
Passed 2506
Title amended 2506
House amends and passes...2525
Senate concurs 2536-2537
Enrolled 2555-2552
Signed 2555
Sent to governor.....2557

408—By Webber. To make an appropriation for the payment of the expense of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance of the final hearing in the case before the interstate commerce commission involving general advancement in rates.
Introduced and referred..... 757
Reported and referred.....1392

409—By Heald. To repeal section two of chapter one hundred thirteen (113) laws of the Thirty-fourth General Assembly, and section twenty-five hundred and twenty-two (2522) supplement to the code, 1907, and enact substitutes therefor, providing for the appointment of dairy and food commissioner and assistants and fixing salaries of said officers; also providing for the making of reports to the state dairy commissioner, maintaining of certain establishments in a hygienic condition, proper cleaning of utensils and containers, and providing penalties for violation thereof, regulating the sale of renovated butter or process butter; and amending section twenty-five hundred and twenty-four (2524) of the code relating to compensation of milk agents.
Introduced and referred..... 757
Returned and referred.....1913

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410—By Heald. To promote the purposes and work of the Iowa state conference of charities and correction.
Introduced and referred.....757
Reported and referred.....1353
Reported substitute 1696
Amended and passed.....2053

411—By Gillette. To repeal section 3445 of the code, and to enact a substitute therefor relative to the bringing of actions by legal representatives or successors of deceased persons, and providing for the survival to the estate of the right to recover damages for physical or mental pain and suffering.
Introduced and referred..... 757
Reported unfavorably 1848
Indefinitely postponed 1849

412—By Ream. To amend chapter one hundred six (106) acts of the Thirty-fourth General Assembly relating to the hoisting of men from shafts and to provide penalties for the violation of this act.
Introduced and referred..... 764
Returned and referred.....2029

413—By Cowles. To legalize the incorporation and acts and proceedings of Leopold Desk Company of Burlington, Des Moines county, Iowa.
Introduced and referred..... 764
Reported with amendments..1040
Amendments adopted 1148
Amended 1149
Passed 1149
Passed house 1517
Enrolled 1609-1611
Signed 1633
Sent to governor.....1696

414—By Hagemann. To amend chapter two hundred and four (204) of the acts of the Thirty-third General Assembly, amendatory to section four thousand nineteen (4019) and four thousand and twenty (4020) of the code relating to the preference of debts owing for labor.
Introduced and referred..... 766

415—By Hagemann. To amend section three thousand three hundred and forty-eight (3348) of the code relating to the order of payment of claims against estates.
Introduced and referred..... 766
Returned and referred.....2030

416—By Malmberg. To amend section 720, supplement to the code, 1907, relating to the powers of cities and towns.
Introduced and referred..... 766

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Reported unfavorably 1244
Indefinitely postponed 1241

417—By Darrah. Providing for the election of United States senators by a vote of the people.
Introduced and referred..... 766
Reported substitute 1418
Substitute adopted 1436
Passed 1437
House amends and passes....1925
Placed on calendar.....1973
Senate concurs 2048-2049
Enrolled 2129-2131
Signed 2137
Sent to governor.....2147

418—By Chase. To require the equipment and maintenance of sanitary closets at railway stations in this state, providing for the regulation and inspection thereof and fixing a penalty for violation of this act.
Introduced and referred..... 783
Reported 1088
Amended 1182
Passed 1182
Passed house 1803
Enrolled 1907-1967
Signed 1970
Sent to governor.....1971

419—By Chase. To prevent the issuance of free passes for admission to the Iowa State Fair.
Introduced and referred..... 784
Reported with amendment...1532
Considered 1775
Tabled 1776

420—By Chase. To empower the board of supervisors to drain and otherwise improve the public highways.
Introduced and referred..... 784
Returned and referred.....1912

421—By Chase. To amend section sixteen hundred fifty-seven (1657-e) of the supplement to the code, 1907, relative to the qualifications of board of directors of the state board of agriculture.
Introduced and referred..... 784
Reported 1699
Lost on passage.....2080

422—By joint committee on public health. To provide for the creation of a state registrar, county registrar and local registrar of vital statistics, and the appointment thereof, and for the immediate registration of all births and deaths throughout the state of Iowa by means of certificates of births and deaths, burial and removal permits; to require prompt returns to the bureau of vital statistics at the capital of the state as required

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to be established by the state registrar of vital statistics; to insure the thorough efficiency of the registration of vital statistics throughout the state; to provide penalties for the violation thereof, and making an appropriation of ten thousand ($10,000) dollars therefor, and to repeal sections twenty-five hundred seventy-five-a-eleven (2575-a-11), twenty-five hundred seventy-five-a-twelve (2575-a-12), twenty five hundred seventy - five - a - thirteen (2575-a-13), twenty-five hundred seventy-five-a-fourteen (2575-a-14), twenty-five hundred seventy-five-a-fifteen (2575-a-15) supplement to the code, 1907, and all acts and parts of acts in conflict herewith; all pertaining to vital statistics and registration of births and deaths.
Introduced and referred..... 795

423—By Schrup. To amend the law as it appears in section one thousand seven hundred fifty-eight-a (1758-a) of the supplement to the code, 1907, relating to insurance policy forms.
Introduced and referred..... 799
Reported 997
Passed 1152
House indefinitely postpones..1325

424—By Chase. To regulate the levy and collection of special assessments in cities and towns and cities acting under special charter and cities under commission plan of government. (Amendatory to chapter seven (7), title five (5), of the code.)
Introduced and referred..... 799
Report substitute 1605
Substitute adopted 1991
Passed 1991
House amends and passes...2475
Senate concurs 2478
Enrolled 2516-2519
Signed 2524
Sent to governor.....2530

425—By Chase. To amend section eight hundred seventeen (817) of the code, relating to special assessments for street improvements.
Introduced and referred..... 800
Reported unfavorably 1245
Considered 1470
Report rejected 1470
Lost on passage.....1471

426—By Heald. To repeal section three hundred thirteen (313) of the code and to enact a substitute therefor

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relating to the admission to the practice of law in this state of attorneys having been duly admitted to practice in other states.
Introduced and referred..... 824
Reported with amendments...1195
Amendments adopted 1210
Passed 1211
House amends and passes....1802
Considered 1809
Senate concurs 1916
Enrolled 1969-2027
Signed 2027
Sent to governor.....2028

427—By Heald. To amend section seven hundred fifty-one (751) of the code relating to streets and public grounds.
Introduced and referred..... 825
Reported 1606
Passed 2010
House amends and passes....2509
Considered 2511
Senate concurs 2511-2512
Enrolled 2550-2551
Signed 2555
Sent to governor.....2558

428—By Francis. To amend the law as it appears in section two thousand five hundred seventy-eight-b (2578-b) of the supplement to the code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses.
Introduced and referred..... 825
Reported 1036
Passed 1161
Senate requests return.....1247
House indefinitely postpones.1325

429—By Francis. To amend the law as it appears in section two thousand seven hundred ninety-four-a (2794-a) of the supplement to the code, 1907, as amended by chapter one hundred forty-three (143) of the acts of the Thirty-fourth (34th) General Assembly relating to the organization of consolidated school districts.
Introduced and referred..... 825
Returned and referred.....1975
Passed 2277

430—By Francis. Requiring payment of a bounty upon crows.
Introduced and referred..... 825
Withdrawn 1443

431—By Francis. To repeal the law as it appears in section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1907, and to enact a substitute therefor in regard to bringing into certain state institu-

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tions and other places where inmates may lawfully be, drugs or liquors, or weapons, explosives or other article for use in making or attempting an escape.
Introduced and referred..... 825
Reported 1037
Passed 1161-1162

432—By Larrabee. To amend section two thousand seventy-one (2071) supplement to the code, 1907, relating to the liability of corporations operating a railway, for negligence or wrongs to employes, as amended by chapter one hundred twenty-four (124) acts of the Thirty-third General Assembly.
Introduced and referred..... 840
Reported unfavorably 1042
Indefinitely postponed 1042

433—By Malmberg. Declaring telegraph companies and telephone companies to be common carriers and subject to the laws governing common carriers so far as applicable and placing telegraph and telephone companies operating within this state under the supervision of the railroad commissioners and giving to such railroad commissioners power and authority to inquire into unjust discrimination, neglect or violation of the laws governing common carriers and to compel such telegraph or telephone companies to make direct connection at points where competing companies have offices or terminals. (Additional to chapter eight (8) of title ten (10) of the code.)
Introduced and referred..... 840
Returned and referred.....2029

434—By Thomas. To license civil engineers and surveyors to practice in the state of Iowa.
Introduced and referred..... 842
Reported unfavorably 1533
Indefinitely postponed 1534

435—By Sullivan. Authorizing the issue of flood protection bonds by cities of the first class and cities acting under the commission plan of government.
Introduced and referred..... 854
Reported with amendments..1606
Amendments adopted 1778
Passed 1779
House amends and passed...2074
Considered 2087
Senate amends house amendments 2109
Senate concurs 2110

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House concurs 2194
Enrolled 2325-2327
Signed 2331
Sent to governor.....2344

436—By Sullivan. Granting additional powers to cities organized under the commission plan of government, and amending section one (1) of chapter sixty-seven (67), laws of the Thirty-third General Assembly.
Introduced and referred..... 854
Reported 1606
Amended and passed.....1905
Passed house 2074
Enrolled 2152-2153
Signed 2169
Sent to governor.....2216

437—By Perkins. To amend section five hundred ninety-nine (599) of the code relative to the incorporation of cities or towns.
Introduced and referred..... 854
Reported unfavorably 1014
Indefinitely postponed 1014

438—By Perkins. To amend section twenty-four hundred three (2403) of the supplement to the code, 1907, relating to the sale or gift of intoxicating liquors.
Introduced and referred..... 854
Returned and referred.....1912

439—By committee on roads and highways. To create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township and other officers and employers with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the county road building fund.
Introduced 855
Made special order..... 909
Considered 1046
Amended 1047-1048-1049-1089
Considered 1091
Amended 1092-1093
Considered 1120-1121

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Passed 1122
Motion to reconsider and to lay that motion on table...1122
House amends and passes...1325
Senate refuses to concur in house amendments ...1335-1337
Motion to reconsider.....1367
Senate concurs 1370
Enrolled 1609-1570
Signed 1580
Sent to governor.....1612
Motion to reconsider.....1700

440—By Balkema. To amend the law as it appears in section four hundred forty-one (441) of the code, relating to the publication of proceedings of the board of supervisors in newspapers published in the county.
Introduced and referred..... 863
Reported unfavorably 1190
Indefinitely postponed 1190

441—By Thomas. To establish a minimum wage for female labor in certain lines of employment, and providing penalties for the violation thereof.
Introduced and referred..... 880
Returned and referred.....1912

442—By committee on ways and means. Providing for the raising of revenue for state, county, town, cities and other subdivisions by taxation, and providing by whom and in what manner assessments, equalizations and levies shall be made, and repealing and amending sections, etc.
Introduced and referred..... 880-881-882-883
Reported 1544
Amendments filed 2095
Special order 2102
Referred 2187

443—By Garrett. To amend the law as it appears in section nineteen hundred eighty-nine-a-twenty-one (1989-a-21) of the supplement to the code, 1907, relating to the repair of levees, drains, ditches and water courses.
Introduced and referred..... 888
Reported 1191
Passed 1228
House fails to pass.....1980

444—By McManus. To amend the law as it appears in section seven hundred and twenty-six (726) of the code of 1897.
Introduced and referred..... 889
Returned and referred.....2029
Amended 2276
Passed 2277

445—By Robinson. To amend section one thousand nine hundred eighty-nine-a-eight (1989-a-8) of the supplement to the code, 1907, and all acts amendatory thereof, and section three (3) of chapter one hundred eighteen (118), acts of the Thirty-third General Assembly, relative to the publication of notice of establishment of levee or drainage districts and notice of letting of same.
Introduced and referred..... 889
Reported unfavorably 1189
Indefinitely postponed 1189

446—By Chase. To amend section four (4) of chapter sixty-three (63), acts of the Thirty-fourth General Assembly.
Introduced and referred..... 916
Reported with amendments..1540
Amendments adopted 1774
Passed 1774
Passed house 2493
Enrolled 2534-2535
Signed 2546
Sent to governor.....2558

447—By Francis. Amending section two hundred and fifty-three (253) of the supplement to the code, 1907, relating to the salary of judges of the district court.
Introduced and referred..... 916
Reported unfavorably 1532
Indefinitely postponed 1532

448—By Crist. For the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick, for a certain tract of land.
Introduced and referred..923-924
Reported with amendments..1191
Amendments adopted 1228
Passed 1229
House amends and passes...1803
Considered 1813
Senate concurs 2060-2061
Enrolled 2151-2153
Signed 2169
Sent to governor.....2215

449—By Legel. To amend the law as it appears in section one (1), chapter thirty-seven (37) of the acts of the Thirty-fourth General Assembly relating to public nuisances and the abatement thereof.
Introduced and referred..... 924
Reported unfavorably 1533
Indefinitely postponed 1533

450—By McManus. To amend chapter one hundred seventy five (175) acts of the Thirty-fourth General Assembly pertaining to the standard of ice cream.
Introduced and referred..... 928

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451—By Fellows. Granting additional powers to the executive council.
Introduced and referred..... 928
Returned and referred.....2030
Amended and passed.....2278
Passed house 2509
Enrolled 2547-2550
Signed 2555
Sent to governor.....2556

452—By Mattes. To amend the law relating to the compensation of members of the general assembly as the same appears in section twelve (12) of the code, as amended by chapter one (1) of the acts of the Thirty-fourth General Assembly.
Introduced and referred..... 998
Reported 1271
Passed 1504
Passed house 2509
Enrolled 2548-2551
Signed 2555
Sent to governor.....2556

453—By Neal. To empower the board of supervisors in any county to appropriate county funds to employ, or to assist in employing a county consulting agriculturist, or soil expert, and to defray, or assist in defraying. the expenses connected therewith, for the purpose of the conservation of soil fertility or the improvement of agricultural conditions generally.
Introduced and referred..... 998
Returned and referred.....2088

454—By Kimball. To amend section one (1) of chapter one hundred forty-six (146), of the acts and laws of the Thirty-fourth General Assembly and relating to the permission of pupils to attend any high school outside of the home district.
Introduced and referred..... 998
Reported unfavorably 1870
Indefinitely postponed 1870

455—By Robinson. To amend section five (5), chapter sixty-nine (69), of the acts of the Thirty-third General Assembly, relating to the publication of the primary ballot.
Introduced and referred..... 998
Reported 1417
Passed 1565-1565

456—By Ream. To amend the law as it appears in section twenty-five hundred forty (2540) supplement to the code, 1907, as amended by chapter one hundred fifty-three (153) acts of the Thirty-third (33rd) General Assembly, relating to the use of trot lines.

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Introduced and referred.....1003
Reported 1494
Passed 1734

457—By Perkins. Authorizing and directing the governor to appoint a commission of three persons to be known as "the vice investigation committee" for the purpose of investigating vice conditions in this state and the causes thereof; also defining the duties of said committee.
Introduced 1007
Ordered printed 1010
Passed 1146

458—By Malmberg. Relating to the duties of road superintendents and township trustees and prescribing their powers.
Introduced and referred.....1009
Returned and referred.....1912

459—By Malmberg. To amend section one thousand four hundred twenty-three (1423) of the code, relative to tax sales of real estate and giving to counties the right to purchase real estate at tax sales and to own and dispose of same
Introduced and referred.....1009
Reported 1299
Passed 1557-1558

460—By Heald. To amend section eight hundred ninety-four (894) of the supplement to the code, 1907, relative to the levy of taxes in cities under the commission form of government.
Introduced and referred.....1026
Reported unfavorably 1543
Indefinitely postponed 1543

461—By Mattes. Making appropriations to defray the expense of the "vice investigation committee."
Introduced and referred.....1026
Passed 1147

462—By Webber. To provide for the appointment of a commission to select and draw grand and petit jurors, including talesmen, in all counties having a population of over twenty thousand (20,000) and prescribing the duties thereof.
Introduced and referred.....1026
Returned and referred.....2030
Sifting committee returns...2460
Lost on passage.....2460-2461

463—By Thomas. To amend the law as it appears in section twenty-six hundred thirty-four-a (2634-a), supplement to the code, 1907, relating to the employment of help by the educational board of examiners.

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Introduced and referred.....1029
Reported with amendments..1462
Amendments adopted 1715
Passed 1716

464—By Sullivan. To amend the law relating to transportation charges by carriers as the same appears in section twenty-one hundred twenty-three (2123) of the code.
Introduced and referred.....1062
Returned and referred.....1912

465—By Sullivan. To legalize the special election held in the city of Valley Junction, Iowa, on the 14th day of March, 1913, wherein there was submitted to the voters of said city the question of purchasing or erecting and establishing a water works and electric light and power plant, and also the question of the issuance of bonds in a sum not to exceed $65,000.00 for water works and electric light and power plant purposes and to validate and legalize the proceedings of the city council had in relation to said special election preliminary to the holding thereof, and to legalize the ballots used at said special election; the acts of the election boards in the conduct of said election and in making the returns thereof; the action of the city council in canvassing the returns of said election and declaring the result thereof, and to legalize the bonds to be issued in pursuance thereof.
Introduced and referred.....1063
Reported 1521
Passed 1713
Passed house 1996
Enrolled 2129-2130-2131
Signed 2137
Sent to governor.....2149

466—By committee on board of control and its institutions. To authorize the board of supervisors of each county in this state to make provision for the segregation, care and support of indigent persons afflicted with pulmonary tuberculosis in advanced stages.
Introduced 1066
Passed 1186
Motion to reconsider.....1186
House amends and passes...1801
Considered 1808
Senate concurs 1918
Enrolled 2067-2068
Signed 2073
Sent to governor.....2075

467—By Farr. To prohibit the removal or destruction of articles or things placed in public highways for the purpose of guarding or inclosing unsafe places therein and providing penalties for a violation thereof.
Introduced and referred.....1066
Reported with amendments..1195
Amendments adopted 1233
Passed 1233
Passed house 2074
Enrolled 2212
Signed 2214
Sent to governor.....2215

468—By Farr. To enable railroad employees, traveling salesmen and other electors required by their duties or their occupations to be absent from their voting precincts on the day of any general election, to cast their votes wherever in the state they may be and providing penalties for violation of its provisions.
Introduced and referred.....1066
Returned and referred.....1912

469—By Kimball. Authorizing cities and towns to create sanitary districts.
Introduced and referred.....1075
Reported unfavorably 1607
Indefinitely postponed 1608

470—By Crow. To provide for the examination and licensing of auctioneers, regulating the calling, business and vocation of an auctioneer and providing punishment for the violation of the same.
Introduced and referred.....1076
Reported unfavorably 1272
Indefinitely postponed 1272

471—By Farr. To amend the law as it appears in section two hundred ninety-eight (298) of the supplement to the code, 1907, as amended by chapter sixteen (16) of the acts of the Thirty-third General Assembly, relating to the compensation of clerks of the district court and their deputies.
Introduced and referred.....1109
Reported 1530
Passed 1714
Passed house 2368
Enrolled 2445-2448
Signed 2452
Sent to governor.....2460

472—By Farr. Authorizing the appointment of two delegates from the state of Iowa as members of a commission which is to investigate European systems of rural credits and report thereon and making an appropriation therefor.
Introduced and referred.....1110
Reported and referred.....1205

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473—By Sullivan. Providing for the severance of territory from cities of the first class and cities acting under the commission plan of government.
Introduced and referred.....1110
Returned and referred.....2029

474—By McColl. To amend the law as it appears in an act passed by the Thirty-fifth (35th) General Assembly and approved on the 20th day of March, A. D. 1913, and entitled, "A bill for an act additional to chapter five (5), title ten (10) of the code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same."
Introduced and referred.....1110
Reported 1575
Passed 1724-1725
Passed house 1882
Enrolled 1969-2026
Signed 2027
Sent to governor.....2028

475—By Kimball. To repeal section eight hundred sixteen (816) of the code and enacting a substitute therefor and relating to the lien of special taxes for the cost of making and reconstruction of city improvements and sewers.
Introduced and referred.....1110
Report substitute 1602
Substitute adopted 1740
Passed 1990

476—By committee on agriculture. To amend the law as it appears in an act approved March 15th, 1913, entitled "an act to amend sections two (2), three (3), five (5) and seven (7) of the law as it appears in chapter one hundred (100) of the laws of the Thirty-fourth General Assembly, and adding new sections to the same relating to stallion and jacks."
Introduced 1170
Placed on calendar.....1170
Passed 1210

477—By committee on appropriations. To appropriate money for the purpose of defraying the expenses incurred in the election contests in the nineteenth (19) senatorial district of Iowa and in the forty-sixth (46) senatorial district of Iowa, and to pay sundry persons for services, mileage and other expenses incurred in connection with said election contests.
Introduced 1200
Printed in journal.....1200

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Considered 1235
Passed 1236
House amends and passes...1998
Considered 2001-2002
Senate refuses to concur.....
..... 2049-2050
House insists; appoints conference committee 2092
Senate appoints conference committee 2094
Conference committee report.2413
Passed senate 2414
House adopts report.....2442
Enrolled 2549-2552
Signed 2555
Sent to governor.....2553

478—By Francis. To amend the law as it appears in chapter sixty-eight (68), acts of the Thirty-fourth General Assembly, relating to the assessment and collection of a tax on collateral inheritance of estates, annuities, legacies, bequests, gifts and transfers; repealing certain sections thereof and providing substitutes therefor; making the provisions of said chapter applicable to direct inheritance of estates, annuities,, bequests, gifts and transfers; subjecting the same to taxes, providing the rate of all such taxes, and making exceptions therefrom.
Introduced and referred.....1203
Returned and referred.....1912

479—By Balkema. Authorizing the board of supervisors to make changes in highways providing the procedure for such changes and manner of paying therefor.
Introduced and referred.....1203
Reported 1404
Passed 1594

480—By Balkema. To amend sections three (3) and eight (8) of chapter twenty-four (XXIV) of the acts of the Thirty-fourth General Assembly, relating to township and county levies for road purposes.
Introduced and referred.....1203
Reported with amendments..1404
Amendments adopted 1594
Title amended 1595
Passed 1595

481—By Crist. To legalize the act of the electors of the city of Osceola, Iowa, in voting for the issuance of bonds in aid of improvement and extension of the city water works.
Introduced and referred.....1203
Reported with amendments..1851
Withdrawn from consideration 1983
tional powers upon certain

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482—By Sullivan. To confer addicities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the supplement to the code, 1907, providing for the levy and collection of a special tax for the purchase and maintenance of apparatus and equipment for use in police service in the department of public safety.
Introduced and referred.....1204
Reported with amendments..1604
Amendments adopted 1739
Passed 1739
Passed house 2453
Enrolled 2516-2519
Signed 2524
Sent to governor.....2531

483—By Sullivan. To confer certain powers on cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa, as the same appears in chapter fourteen-c (14-c) of title five of the 1907 supplement to the code, 1897, providing for the levy and collection of a special tax for the purchase, equipment, construction and maintenance of a garbage disposal plant.
Introduced and referred.1204-1205
Reported with amendments..1604
Amendments adopted 1732
Passed 1733
Passed house 2454
Enrolled 2534-2535
Signed 2546
Sent to governor.....2558

484—By Kimball. To amend chapter one hundred twenty-one (121) of the laws of the Thirty-third General Assembly, relating to payment of additional help for county auditors in drainage matters.
Introduced and referred.....1205
Reported unfavorably 1846
Indefinitely postponed 1846

485—By Darrah. To repeal the law as it appears in section twenty-five hundred ten-j (2510-j) supplement to the code, 1907, relating to the sale of gasoline and to enact a substitute therefor relating to the sale of gasoline, benzine and naphtha in the state of Iowa.
Introduced and referred.....1205
Returned and referred.....1913

486—By Chase. To legalize the passage, adoption and publication of the ordinances of the incorporated town of Rowan, Wright county, Iowa.
Introduced and referred.....1237-1238
Reported 1539
Amended 1710
Passed 1711
Passed house 1997
Enrolled 2129-2131
Signed 2137
Sent to governor.....2149

487—By Smith. To amend section three thousand three hundred seventy-seven (3377) of the supplement to the code, 1907, relating to the election between the distributive share and take under the will by surviving spouse and setting off such distributive share.
Introduced and referred.....1238
Reported unfavorably 1853
Indefinitely postponed 1853

488—By Fellows. To amend the law as it appears in section ten hundred ninety-three (1093) supplement to the code, 1907, relating to election boards.
Introduced and referred.....1238
Reported 1873
Passed 2125
Passed house 2507
Enrolled 2533-2536
Signed 2546
Sent to governor.....2559

489—By Fellows. To amend the law as it appears in section eight (8) of chapter twenty-four (24) of the acts of the Thirty-fourth General Assembly, relating to the selection of superintendents of dragging and the employment of road superintendents.
Introduced and referred.....1239
Returned and referred.....1912

490—By Kimball. To amend subdivision one (1) of section four hundred ninety (490) of the supplement to the code, 1907, relating to compensation of county treasurers.
Introduced and referred.....1239
Returned and referred.....2030

491—By Larrabee. Making special provision for the enforcement of sanitary conditions by the state board of health upon complaint made by five (5) or more citizens.
Introduced and referred.....1247
Reported 1865
Passed 2122-2123
Passed house 2474-2475
Enrolled 2515-2518
Signed 2524
Sent to governor.....2529

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492—By Boe. To legalize the platting of an addition to the town of Kensett, Iowa, executed by Mrs. Margaret Lukason, dated March 21, 1898, and filed for record in the office of the recorder of Worth county, Iowa, April 9, 1898.
Introduced 1267
Referred 1267
Reported 1533
Passed 1714
Withdrawn 1877

493—By Taylor. To amend section forty-nine hundred sixty-nine (4969) supplement to the code, 1907, relating to cruelty to animals.
Introduced 1267
Referred 1268
Reported unfavorably 1850
Indefinitely postponed 1850

494—By Allen. To amend section one (1) of chapter one hundred forty-five (145) acts of the Thirty-fourth General Assembly, relative to the limits of indebtedness of independent school districts.
Introduced and referred.....1277
Returned and referred.....1975

495—By Quigley. To amend section 2561, supplement to the code, 1907, for the protection of birds, and providing for enforcement.
Introduced and referred.....1278
Reported 1405
Passed 1597

496—By Farr. To require railroad companies to fence and place signs along their yard limits in cities and towns and to provide penalties and forfeitures for failure so to do.
Introduced and referred.....1278
Reported unfavorably 1575
Indefinitely postponed 1575

497—By Clarkson. Creating a department of labor and industry, empowering the Iowa industrial commission as executive officers of the department to fix standards of safety and providing for procedure in connection therewith, abolishing the office of labor commissioner and offices in connection therewith and conferring the powers and duties now imposed by law upon the Iowa industrial commission.
Introduced and referred.....1280
Returned and referred.....1912

498—By Mattes. To amend the law relating to state library commission as the same appears in section twenty-eight hundred eighty-eight-a (2888-a) supplement to the code, 1907.

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Introduced and referred.1280-1281
Reported unfavorably 1614
Indefinitely postponed 1615

499—By Heald. Providing for publication of the report of the doings of the executive council in the biennial expense report.
Introduced and referred.....1286
Returned and referred.....2088

500—By Chase. To repeal the law as it appears in chapter ninety-four (94) acts of the Thirty-fourth (34) General Assembly, and to enact a substitute therefor relating to the duties and powers of the commerce counsel.
Introduced and referred.....1319
Returned and referred.....2030

501—By Kimball. Regulating the appointment and defining the powers and duties of the state board of education relative to the provision for courses of study for the state institutions under their control and amending sections one (1) and four (4), chapter 170, of the laws of the Thirty-third General Assembly and relating to the same subject.
Introduced and referred.....1319

502—By Darrah. To amend the law relating to primary elections as the same appears in section ten hundred eighty-seven-a-1 (1087-a-1), ten hundred eighty-seven-a-10), ten hundred eighty-seven-a-twenty-five (1087-a-25), ten hundred eighty-seven-a-twenty-six (1087-a-26), ten hundred eighty-seven-a-twenty-seven (1087-a-27) and ten hundred eighty-seven-a-thirty (1087-a-30), supplement to the code, 1907, as amended by chapter sixty-nine (69), acts of the Thirty-third General Assembly.
Introduced and referred.....1319
Reported with amendments...1417
Amended and passed...1902-1903

503—By Darrah. To amend the law relating to the practice of medicine as the same appears in section twenty-five hundred seventy-six (2576) supplement to the code, 1907.
Introduced and referred 1320

504—By Darrah. To amend the law relating to the form of ballot to be used in the general election as the same appears in section eleven hundred six (1106) of the supplement to the code, 1907.

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Introduced and referred.....1320
Reported 1417
Passed 1785

505—By Robinson. To amend section sixteen hundred sixty (1660) of the supplement to the code, 1907, to aid county agricultural societies.
Introduced and referred 1320
Reported unfavorably 1700
Indefinitely postponed 1700

506—By Cowles. To amend section one (1) of chapter seventy-nine (79) of the laws of the Thirty-fourth General Assembly relating to co-insurance clauses in policies of fire insurance companies.
Introduced and referred.....1328
Report substitute 1618
Substitute adopted 1742
Passed 1743

507—By Committee on Agriculture. To establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa State College of Agriculture and Mechanic Arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing of hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale, or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151) of the acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) of the acts of the Thirty-fourth General Assembly.
Introduced and referred 1328
Reported 1546
Amended 1722-1723
Passed 1723
House amends and passes....2165
Considered 2171
Senate refuses to concur.2172-2173
House insists and appoints conference committee 2321
Senate appoints conference committee 2322
Conference committee report.2339
Conference report and amendments adopted 2370
Passed 2371
House adopts conference report and amendments.....2436
Enrolled 2548-2551
Signed 2555
Sent to governor 2556

508—By Clarkson. To amend section eight hundred thirty-six (836) of the code, 1897, in reference to reassessment for local improvements.
Introduced and referred.....1349
Reported 1531
Amended 1779
Passed 1780
House amends and passes....2287
Senate concurs 2292
Enrolled 2381-2386
Signed 2386
Sent to governor 2386

509—By Clarkson. To amend section thirteen hundred eight (1308) of the code, providing for the manner of taxing mortgaged property.
Introduced and referred.....1350

510—By Gillette. To amend the law as it appears in section one thousand five hundred thirty-two (1532), supplement to the code, 1907, as amended by the acts of the Thirty-third General Assembly, relative to the establishment of road districts for state lands and providing for the payment of the cost of maintaining roads therein and the collection of road poll tax within such districts.
Introduced and referred.....1350
Reported 1548
Amended 1985
Passed 1985-1986
House amends and passes....2193
Considered 2282
Senate concurs 2296-2297
Enrolled 2342-2385
Signed 2386
Sent to governor 2387

511—By Gillette. To amend section two thousand seven hundred eighty-one (2781) of the code relative to publication of receipts and disbursements of school funds.
Introduced and referred 1350
Reported 1869
Withdrawn 2063

512—By Nye. Amending section section forty-six hundred sixty-one (4661) of the code relating to witness fees.
Introduced and referred.....1361
Reported unfavorably 1530
Indefinitely postponed 1531

513—By Francis. To amend the law as it appears in section two thousand five hundred seventy-eight-b (2578-b) of the supplement to the code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses.
Introduced and referred.....1361

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Reported 1851
Passed 2045
Passed house 2508
Enrolled 2550-2551
Signed 2555
Sent to governor 2558

514—By Francis. Providing for a millage levy to be used in surfacing certain highways of the state, and providing for the expenditure thereof.
Introduced and referred.....1361
Returned and referred.....2088

515—By Webber. To amend chapter one hundred and fifty (150), acts of the Thirty-fourth (34th) General Assembly relating to the sales of stocks of goods, wares or merchandise in bulk.
Introduced and referred.....1361
Returned and referred.....2030

516—By Hilsinger. To legalize a certain election held January 13, 1913, in town of Miles, Jackson county, Iowa.
Introduced and referred.1387-1388
Reported 1845
Passed 2034
Passed house 2192
Enrolled 2326-2327
Signed 2331
Sent to governor 2344

517—By Allen. Repealing section 2024-l of the supplement to the code of Iowa of 1907, and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material accessible for general use for road improvement and providing punishment for use of said material for other than road purposes.
Introduced and referred.....1388
Reported substitute 1447
Substitute adopted 1728
Amended 1728
Passed 1729
House amends and passes....2288
Senate concurs 2294
Enrolled 2381-2385
Signed 2383
Sent to governor 2383

518—By White. To amend the law relating to the time within which appeals may be taken to the supreme court as the same appears in section forty-one hundred ten (4110) of the code and section fifty-four hundred forty-eight (5448) of the code as amended by chapter two hundred twenty-eight (228) of the acts of the Thirty-third General Assembly.

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Introduced and referred.....1388
Reported 1531
Passed 1715

519—By Legel. To repeal section twenty-five hundred and ninety-three (2593), supplement to the code, 1907, as amended by chapter one hundred and sixty (160) acts of the Thirty-third General Assembly, as amended by chapter one hundred and sixty-two (162), acts of the Thirty-third General Assembly, and enact a substitute therefor, relating to the practice of pharmacy.
Introduced and referred.1396-1397
Returned and referred.....1912

520—By Balluff. To legalize the ordinances, resolutions and amendments to ordinances and resolutions passed and adopted by, and the acts of the town council of the town of Buffalo, Scott county, Iowa, since the passage of an act relating to the organization of cities and towns, and known as chapter twenty-six (26) of the acts of the thirty-second (32d) general assembly of the state of Iowa.
Introduced and referred.1397-1398
Reported 1847
Passed 2037
Passed house 2367
Enrolled 2457-2464
Signed 2466
Sent to governor 2467

521—By Thomas. To protect the lives, health, morals of women and minors, workers, establishing an industrial welfare commission for women and minors, prescribing its powers and duties, and providing for the fixing of minimum wages and the standard condition of labor for such workers and providing penalties for violation of the same.
Introduced and referred.....1398
Returned and referred.....1912

522—By Cowles. To establish an insurance department, providing for an insurance commissioner, defining his duties, fixing his compensation and determining his term of office.
Introduced and referred.....1398
Reported and referred 1521
Reported with amendments...1921
Amendments adopted 2019
Amended and passed 2029
Passed house 2507
Enrolled 2548-2551
Signed 2555
Sent to governor 2557

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523—By Jones. To increase the salary of the chief executive officer of the institution for feeble-minded children at Glenwood, Iowa, amendatory of the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code, 1907.
Introduced and referred.....1414
Recalled and referred.....1456
Reported 1771
Passed 2036

524—By Perkins. To amend section twenty-four hundred three (2403) of the code relative to the sale of intoxicating liquors.
Introduced and referred.....1414
Reported 1640
Passed 2025

525—By Heald. To amend section five thousand seventy-seven (5077) of the code relating to evidence necessary to convict persons guilty of frauds upon hotel, inn or boarding house keepers.
Introduced and referred.....1414
Returned and referred.....2162

526—By Heald. To repeal section eighteen hundred and eighty-one (1881) of the code and to enact a substitute therefor relating to the report by the auditor of state to the governor of the condition of banks.
Introduced and referred 1414
Returned and referred.....1911

527—By Hilsinger. To amend section two thousand five hundred sixty-one (2561) as it appears in the supplement to the code, 1907, for the protection of birds.
Introduced and referred.....1414
Reported 1446
Passed 1637

528—By Mattes. Providing that owners of threshing machines shall have a lien upon the grain threshed therewith for the charge made for threshing said grain.
Introduced and referred.....1414
Returned and referred.....2030

529—By Kimball. Enabling Mrs. C. C. Platner, and Mrs. George Wilson, to share in the policeman's pension fund of the city of Council Bluffs, Iowa.
Introduced and referred.....1415
Reported 1842
Passed 2114

530—By Thomas. To amend the law relating to the selection of school text books, as it appears in sections twenty-eight hundred thirty-one (2831), twenty-eight hundred thirty-two (2832), supplement to the code, 1907, and twenty-eight hundred thirty-four (2834) of the code.
Introduced and referred.....1415
Reported 1871
Amended 2071
Amended 2106
Amended 2107
Passed 2108
Senate requests return.....2483
House returns 2488
Motion to reconsider.....2488
Reconsidered 2488
Amended 2489
Passed 2489

531—By Thomas. To provide for the registration of highway routes, together with the names, color combinations and designs used in marking the same; prohibiting the duplications thereof; and providing penalties for the violation of this act.
Introduced and referred.....1415
Reported 1447
Passed 1564-1565
Passed house 1980
Enrolled 2067-2068
Signed 2073
Sent to governor 2075

532—By Thomas. To prohibit the shipment and delivery of intoxicating liquors to anyone but those entitled to buy, keep or sell the same under the laws of the state, and providing for the violation thereof.
Introduced and referred.....1415
Returned and referred.....1912

533—By Clarkson. Relating to the recovery of damages in personal injury cases.
Introduced and referred.....1415
Returned and referred.....2030

534—By DeWolf. To authorize the construction of a business men's coliseum and convention hall over the Cedar river in the city of Waterloo, Iowa.
Introduced and referred.....1415

535—By Malmberg. To define and regulate the sale of nursery stock, to prevent misrepresentation of the same, and providing a penalty for the violation of this act or any section thereof.
Introduced and referred.....1416
Returned and referred.....1912

536—By Committee on Highways. To amend the law as it appears in section thirty-three (33), chapter seventy-

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two (72), acts of the Thirty-fourth General Assembly, providing for the expenditure of registration fees of motor vehicle.
Introduced and referred.....1549
Reported 1772
Passed 2041
House amends and passes....2288
Senate concurs 2291-2292
Enrolled 2382-2385
Signed 2386
Sent to governor 2387

537—By Committee on Judiciary. To legalize certain warrants of the town of Milford, Iowa.
Introduced 1555
Passed 1989
Passed house 2192
Enrolled 2326-2327
Signed 2331
Sent to governor 2344

538—By Committee on Appropriations. To provide for the levy of a special tax upon the assessed valuation of the taxable property of the state for a period of ten years for the purchase of real estate for the extension and for the improvement of the state capitol grounds; to define the limits of said extension; to authorize the purchase by executive council of all grounds within said limits; to adopt a plan for the location of buildings, monuments, etc., on said extended ground, and to provide for the sale of certain real estate known as "governor square."
Introduced 1566
withdrawn 1986

539—By Committee on Suppression of Intemperance. To amend section twenty-four hundred forty-eight, paragraph nine (2448-9) of the supplement to the code, 1907, regulating the hours of the day during which liquor may be sold in saloons.
Introduced 1566
Made special order.....1566
Passed 1580-1581
Passed house 1882
House requests return.....1896
Senate returns 1915
House returns without change.2290
Enrolled 2381-2385
Signed 2386
Sent to governor 2387

540—By Committee on Judiciary. To legalize a special election of the city of Cedar Falls, Iowa, held March 10, 1913, for the acquiring of a municipal electric light and power plant, and voting bonds therefor, and the resolutions and acts of the city council relating to such electric light and power plant.

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Introduced 1566
Considered 1782
Passed 1782
House passes 2074
Enrolled 2152-2154
Signed 2169
Sent to governor 2216

541—By Committee on Educational Institutions. Regulating the appointment and defining the powers and duties of the state board of education relative to the courses of study for the state educational institutions under their control and amending sections one (1) and four (4), chapter 170 of the laws of the Thirty-third General Assembly relating thereto and providing for the rescision of a certain order of the state board of education with reference to said matters.
Introduced 1639
Passed 1639
House amends and passes....1927
Considered 1972

542—By Committee on Appropriations. To establish a department of agriculture; providing a board for the management thereof; providing the departments subject thereto and supervised thereby; prescribing the duties of said board; making an appropriation therefor, and repealing certain sections of the code and amendments thereto and all acts and parts of acts in conflict therewith.
Introduced 1744
Made special order 1793
Made special order 2102
Amended and referred..2167-2168

543—By Committee on Appropriations. Providing for appropriations to cover the salaries and expenses of the officers and employes of the various departments under the control and management of the state board of agriculture as authorized and established by the Thirty-fifth General Assembly.
Introduced 1764
Referred 2169

544—By Committee on Pharmacy. To amend the law as it appears in chapter one hundred twenty-six (126), acts of the Thirty-fourth General Assembly, relating to the sale of cocaine and certain other drugs; and to repeal the law as it appears in section twenty-five hundred ninety-six-b (2596-b) of the supplement to the code, 1907, relating to the

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penalty for the unlawful sale of such drugs.
Introduced 1833
Passed 2113

545—By Committee on Ways and Means. To repeal sub-division thirteen hundred three (1303), supplement to the code, 1907, as amended by chapter seventy-nine (79) of the laws of the Thirty-third General Assembly, and enacting a substitute therefor, relating to levies by the board of supervisors for ordinary county revenue.
Introduced 1834
Passed 2114

546—By Committee on Judiciary. To enable benefited property to aid in the construction of trolley or electric railroads or the electrification of steam railroads, being additional to chapter five (5) of title ten (10) of the code of 1897, as amended.
Introduced and placed on calendar 1856-1868
Amended and passed....2044-2045
Motion to reconsider 2063
Motion to reconsider withdrawn 2197
House amends and passes....2365
Senate concurs 2371-2372
Enrolled 2457-2465
Signed 2466
Sent to governor 2467

547—By Committee on Judiciary. Amending the law as it appears in section twenty-nine hundred-a-twenty-three (2900-a-23) of the supplement to the code, 1907, authorizing the executive council to lease lands belonging to the state of Iowa.
Introduced and placed on calendar 1858
Passed 2052
Passed house 2435
Enrolled 2466-2479
Signed 2480
Sent to governor 2486

548—By Committee on Judiciary. To legalize the issuance of $18,000 sewer outlet and disposal or purifying plant bonds of the city of Valley Junction, issued on the 3rd day of February, A. D. 1913, and secured by special taxes levied and pledged to the payment of said bonds and interest.
Introduced and placed on calendar 1859-1860
Passed 2069
Passed house 2453
Enrolled 2517-2518
Signed 2524
Sent to governor 2529

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549—By Committee on Appropriations. Making appropriation for the purchase of twenty thousand (20,000) copies of the railroad commissioners' official maps to be distributed by the members of the general assembly, the department of public instruction and railroad commissioners.
Introduced and placed on calendar 1915
Passed 2183

550—By Committee on Appropriations. Providing for the levy of special taxes upon the assessed valuation of the taxable property of the state for the erection and improvement of buildings, for appurtenances and connections for the Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, school for the deaf, institution for feeble-minded children, state sanatorium for the treatment of tuberculosis, state industrial schools, state hospitals, penitentiary, reformatory, state colony for epileptics, Iowa industrial reformatory for females and district custodial farm, and for the purchase of land and to develop and maintain industries, and repealing acts and parts of acts in conflict with this act.
Introduced and placed on calendar 1998-1999
Passed 2190
Passed house 2365
Enrolled 2465-2479
Signed 2480
Sent to governor 2485

551—By Sifting Committee. To amend the law relating to the investment of the funds of life insurance companies and associations as the same appears in section eighteen hundred six (1806), supplement to the code, 1907.
Introduced 2161
Passed 2217
Passed house 2475
Enrolled 2516-2519
Signed 2524
Sent to governor 2530

552—By Sifting Committee. To amend the law relating to the taking of private property for works of internal improvement as the same appears in section twenty hundred twenty-four-d (2024-d), supplement to the code, 1907.
Introduced 2161
Passed 2211
Passed house 2368
Enrolled 2457-2464
Signed 2466
Sent to governor 2467

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553—By Committee on Appropriations. Making an appropriation for carrying out the provisions of senate file No. 491.
Introduced 2179
Passed 2405
Passed house 2490
Enrolled 2516-2518
Signed 2524
Sent to governor 2530

554—By Sifting Committee. To amend the law as it appears in section two thousand nine (2009) of the code relating to appeals from the action of the commissioners in assessing damages where private property is taken for works of internal improvement.
Introduced and printed in journal 2205-2206
Passed 2317
Passed house 2436
Enrolled 2466-2479
Signed 2480
Sent to governor 2485

555—By Sifting Committee. Amending chapter two hundred one (201) of the laws of the Thirty-fourth General Assembly; relating to plans and specifications and estimates of cost of buildings under the control of the board of education and the employment of an architect and assistants and limiting expenditure therefor.
Introduced and printed in journal 2206
Amended and passed ...2394-2395
House amends and passed....2490
Referred 2494
Returned 2545
Amended and passed.....2545
House concurs 2547
Enrolled 2548-2553
Signed 2555
Sent to governor.....2557

556—By Sifting Committee. To amend an act passed by the Thirty-fourth General Assembly and approved on the third day of April, 1913, and entitled, "A bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers, and duties of such commission, to provide for the removal of."
Introduced and printed in journal 2206-2207
Sifting committee returns....2300
Passed 2301
House amends and passes....2475
Senate concurs 2480-2481
Enrolled 2549-2551
Signed 2555
Sent to governor 2555

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557—By Committee on Appropriations. Making an emergency appropriation for the Iowa state college of agriculture and mechanic arts.
Introduced and printed in Journal 2283
Passed 2410
House passes 2540
Enrolled 2548-2553
Signed 2555
Sent to governor.....2557

558—By Sifting Committee. To provide for the transfer of judges from one judicial district to another in certain cases.
Introduced and printed in journal 2307
Passed 2380-2381
Passed house 2509
Enrolled 2550-2551
Signed 2555
Sent to governor 2558

559—By Sifting Committee. For the purpose of having a patent issued in the name of Charles Martin for a certain tract of land.
Introduced and printed in journal 2307-2308
Passed 2393
Passed house 2454
Enrolled 2532-2536
Signed 2546
Sent to governor 2559

560—By Sifting Committee. Relating to injuries sustained by employes which occur prior to the taking effect of an act enacted by the Thirty-fifth General Assembly, relating to employers' liability for injuries sustained by employes while in line of duty.
Introduced 2390
Passed 2391
Passed house 2507
Enrolled 2549-2551
Signed 2555
Sent to governor 2555

561—By Sifting Committee. Legalizing the acts of the city council, clerk and treasurer of the city of Belle Plaine, Iowa, relating to overdrafts upon the general fund, water fund, bond fund, city improvement fund, water and sewer fund, and sewer outlet fund.
Introduced 2391
Passed 2393-2394
Passed house 2436
Enrolled 2517-2518
Signed 2524
Sent to governor 2529

562—By Committee on Appropriations. To make appropriation for the payment of state and judicial officers, state and other expenses.

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Introduced 2494
Passed 2502-2503
Passed house 2527
Enrolled 2550-2552
Signed 2555
Sent to governor 2558

563—By Francis. To regulate persons or corporations engaged in owning, operating or maintaining water power plants or dams where electrical energy or water power is generated, for the purpose of furnishing or selling electrical energy or water power generally to the public, or for selling of such power for the purpose of furnishing electrical energy or water power to municipalities or public utilities, and granting to such persons or corporations the power of eminent domain.
Introduced 2538
Referred 2540

564—By Committee on Ways and Means. To provide for the general levy for state purposes for the years nineteen hundred and thirteen (1913) and nineteen hundred and fourteen (1914).
Introduced 2542
Passed 2543
Passed house 2546
Enrolled 2548-2552
Signed 2555
Sent to governor 2557

SENATE JOINT RESOLUTIONS

INTRODUCTION AND ACTION

No. Page

1—By Mattes. Relating to the selection of additional employes of the Thirty-fifth General Assembly, fixing their compensation and defining their duties.
Introduced 71
Passed 73
House amended 156
Senate concurs 157
Enrolled 193
Signed 208
Sent to governor 209

2—By Ream. Ratifying the proposed amendment to the constitution of the United States relating to the election of senators.
Introduced and referred..... 104
Returned and referred.....2029

3—By Allen. Joint resolution, proposing to repeal section (1) of article two (2) of the constitution of the state of Iowa and to enact a substitute therefor relating to the right of suffrage.
Introduced and referred 167
Reported unfavorably 524
Substitute reported 524
Re-referred 536
Reported unfavorably 1142
Indefinitely postponed 1142

4—By Ames. Proposing amendments to the constitution of the state of Iowa, authorizing the general assembly to provide for the exclusive taxation of classes of property for state revenue purposes.
Introduced and referred 190
Reported unfavorably 1540

5—By Robinson. Proposing an amendment to the constitution of the state of Iowa, repealing section seven (7) of article two (2) of said constitution and proposing a substitute therefor, relating to and providing for the time of holding general elections.
Introduced and referred 208
Report substitute 1141
Withdrawn 1586

6—By Clarkson. To amend the constitution relating to legislative authority; providing for the initiative and referendum with reference to the enactment of laws or laws enacted by the general asembly and amendments to the constitution.
Introduced 271
Referred 274
Returned and referred.....2029

7—By Neal. Proposing to amend section one (1) of article ten (10) of the constitution of Iowa, relating to the manner of amending said constitution.
Introduced and referred ..327-328
Returned and referred.....2029

No. Page

8—By Darrah. Making application to the congress of the United States to call a convention for proposing amendments to the constitution of the United States.
Introduced and referred...381-382
Reported unfavorably 1142
Indefinitely postponed..... .1142

9—By Sullivan and Kimball. Appointing a commission to ascertain and report facts relating to the existing boundary between the states of Iowa and Nebraska, and providing for the payment of the expenses of said commission.
Introduced and referred..... 714
Reported unfavorably 1846
Indefinitely postponed 1846

10—By Allen. Referring house joint resolution number six (6), relating to the amendment proposed to section one (1) of article two (2) of the constitution of the state of Iowa, to the Thirty-sixth General Assembly.
Introduced 840
Considered 841
Passed 841-842
Passed house 1627
Enrolled 1756-1791
Signed 1792
Sent to governor 1792

11—By Clarkson. To amend the constitution of the state of Iowa relating to legislative authority, providing for legislative power by a general assembly and the initiative and referendum with reference to the enactment of laws and amendments to the constitution.
Introduced and referred.....1007
Returned and referred.....2029

12—By Allen. Resolution authorizing the appointment of a committee to investigate the proposition of E. B. Howard to convey to the state his interest in about four hundred (400) acres of land near State Center, Iowa, for the purpose of establishing a vocational school.
Introduced and referred.....1029
Reported unfavorably 1448
Indefinitely postponed 1449

13—By Cowles. Relating to the action of the state board of education in reference to certain changes in the courses of study in the different institutions under their control.
Introduced and referred.....1520

14—By Committee on Ways and Means. Approving estimates of cost, plans and specifications for buildings at the state university, the state college of agriculture and mechanic arts, and the state teachers college.
Senate joint resolution approving estimates of cost, plans and specifications for the erection of new buildings at the state university, at the state college of agriculture and mechanic arts, and at the state teachers college.
Joint resolution approving estimates of cost, plans and specifications for the erection of a gymnasium, reconstruction of roof of medical laboratory, changes in chemical laboratory, warehouse, tunnel to Currier hall, kitchen for hospital, at the state university; a chemistry building, agricultural laboratories, transportation laboratory, animal husbandry laboratories, at the state college of agriculture and mechanic arts; a dormitory for women, and a manual training building at the state teachers college.
Introduced and referred..2041-2043
Returned to senate 2398
Passed 2398
House amends and passes....2493
Considered 2494
Senate concurs 2503
Enrolled 2532-2536
Signed 2546
Sent to governor 2559

15—By Committee on Appropriations. Fixing the number and compensation of employes in the department of state at the seat of government.
Introduced 2400
Considered 2451
Passed 2451
Passed house 2494
Enrolled 2547-2550
Signed 2555
Sent to governor 2556

16—By Clarkson. Authorizing and directing the secretary of state to publish, in pamphlet form, Senate File No. 3, known as the workmen's compensation act.
Introduced 2415
Amended 2416
Passed 2417
Passed house 2493
Enrolled 2534-2535
Signed 2546
Sent to governor 2558

17—By Sifting Committee. Relating to the practice of polygomy in certain parts of the United States under federal jurisdiction and control and reserving to each state the right of each state to make and enforce its own laws relative to marriage and divorce.
Introduced 2421
Sifting committee returns....2472
Passed 2472-2473

SENATE CONCURRENT RESOLUTIONS

INTRODUCTION AND ACTION

By Mattes. Appointment of joint committee on additional employes. Introduced, adopted 10; house concurs 12-13.

By Savage. Relating to furnishing codes, etc., to members of Thirty-fifth General Assembly. Introduced and adopted 10; house concurs 13.

By McColl. On joint convention to hear governor's message and canvass vote on governor and lieutenant governor. Introduced and adopted 12; substituted for house resolution 13.

By Neal. Relative to adjournment from January 15 to 21. Introduced and adopted 20; house amends and concurs 67; senate concurs 67.

By Webber. Relative to attorney fees and expenses in cases of contests for seat in house and senate. Introduced 155; amended and adopted 167; house amends and concurs 281; senate refuses to concur in house amendment 317; house insists on its amendments and appoints conference committee 357; house insists on amendments and appoints conference committee 1420.

By Sullivan. Relative to appointment of joint committee on inauguration of governor and lieutenant governor. Introduced and adopted 11; house concurs 12.

By Sullivan. Relative to printing vest-pocket edition of standing committees of house and senate of Thirty-fifth General Assembly. Offered and adopted 151; house concurs 196.

By Chase. Relative to S. 2006 on "the civil war *volunteers officers retired* list bill." Offered 163; adopted 183; house concurs 213.

By Schrup. Joint committee to investigate economy and reform in printing and distribution of public documents. Offered 183; referred 191; reported and referred 1276.

By Francis. Relative to rights to be granted to the Des Moines River Power Co. by act of congress, and memorializing our representatives in congress. Offered 190.

By Thomas. Relative to use of house chamber February 3 for illustrated lecture on Panama-Pacific International Exposition in California. Offered 193; adopted 203; house concurs 213.

By Allen. Relative to a joint convention to hear address by Grace Wilber Trout on woman's suffrage. Offered and adopted 210; house concurs 213.

By De Wolf and Spaulding. Relative to the proposed changes ordered by the board of education in the three colleges and the rescinding of its action. Offered 219; referred 220.

By Webber. Relative to the proposed change in the three colleges ordered by the state board of education, rescinding of its action and passage of a bill by the Thirty-fifth General Assembly outlining courses. Offered 220; referred 221.

By Farr. Relative to memorializing congress on the Kenyon-Shepard bill relating to interstate transportation of intoxicating liquors. Offered 250.

By Allen. Relative to holding of memorial services for the late Governor William Larrabee. Offered and adopted 276-277; house concurs, 282.

By Arney. Relative to a joint executive session for the purpose of a joint hearing on the future policy of higher education in Iowa. Offered 292.

By Chase. Relative to investigation of the state fair expenditures by the joint committee on retrenchment and reform. Offered and adopted, 292; house concurs 322.

By Quigley. Relative to memorializing congress with reference to the protection of fish and the fish industry. Offered 293.

By Doran. Relative to an immediate investigation and report of the Iowa state fair finances by the joint committee on retrenchment and reform, for information of this assembly. Offered and adopted 312; house concurs 358.

By Perkins. Relative to printing 1,250 copies of the rules and committees of the Thirty-fifth General Assembly. Offered 391; adopted 392; house concurs 413.

By Boe. Relative to congratulating Capt. Amundsen upon his wonderful achievements. Offered 396; adopted 396; house concurrent resolution substituted 405.

By Chase. Relative to issuing free passes by the Iowa state fair to members of the Iowa legislature and complimentary tickets to public. Offered 415; made special order 436; considered 447-448-449; amended 449; adopted 450.

By Perkins. Relative to joint rules of the Thirty-fifth (35th) General Assembly. Offered 505; adopted 508; house amends and passes 537; senate amends house amendment and concurs 539; house refuses to concur 589-590; senate insists, asks conference committee and appoints 590; house appoints conference committee 599; report of adopted 615.

By McManus. Relating to appointment of a joint committee to invite Hugh L. Cooper to deliver a stereopticon lecture on water power possibilities. Offered and adopted 601; house adopts and appoints committee 630.

By Allen. Relative to joint convention for memorial services for the late Gov. Wm. Larrabee to be held March 20 at 2 p. m. Offered and adopted 615; house concurs 719.

By Clarkson. Relative to buying Iowa coal for state institutions of the state of Iowa. Offered and referred 625; reported with amendments 1054; amendments adopted 1239; resolution adopted 1239.

By Allen. Relative to sending good wishes to President-elect Wilson and pledging support. Offered and adopted 635-636; house amends and adopts 646; senate concurs 654.

By Neal. Relative to supplying two journal clerks with copies of code supplement and session laws. Offered 714; adopted 742; motion to reconsider 742; motion to reconsider withdrawn 2542.

By Clarkson. Relative to inviting William J. Bryan to address joint convention and appointment of committee. Offered 790; amended 1059; adopted as amended 1059; house amends 1082; senate concurs 1082.

By Allen. Requesting chairman of board of railroad commissioners to furnish general assembly with statement of the functions of the commerce counsel as distinguished from those of the board of railroad commissioners, together with a description of the cases, and the work done by chairman and board of railroad commissioners. Offered and adopted 795-796; house concurs 846.

By Chase. Relative to Pioneer Lawmakers' Association. Offered 1058; adopted 1059; house concurs 1090.

By Doran. Relative to railroads in Iowa granting rates for colonists to points within Iowa as well as to points without the state. Offered 1170; adopted 1372.

By Spaulding. Relating to appointment of a committee to investigate fire protection and needed repairs of the capitol and surrounding state buildings. Offered 1286; adopted 1331; house concurs and appoints committee 1420; report of joint committee on 1756-1757.

By Kimball. Relative to sending greetings to General Grenville M. Dodge and inviting him to address joint convention. Offered 1318; adopted 1319; committee appointed 1332; house concurs 1461; report of committee 1599; communication from Gen. Dodge printed 1600.

By Sullivan. Relative to use of house and senate chambers for reunion of Iowa soldiers from June 9 to 14, 1913. Offered and adopted 1320; house concurs 2094.

By Hilsinger. Relative to adjourn sine die at 12 o'clock noon on Thursday April 10, 1913. Offered 1399; considered 1963; amended 1963; adopted 1965; motion to reconsider 1992-2032; withdrawn 2188; senate requests return 2369.

By Legel. Relative to extending thanks to Chas. G. Patten of Charles City for his contributions to horticulture and fruit growing. Offered and adopted 1511; house concurs 1710.

By Boe. Relating to appointment of three persons by the governor to act as a commission to visit foreign countries, study and report on agricultural conditions. Offered, adopted 1519; senate requests return 1587; house returns 1710; motion to reconsider 1765; substitute offered 1766; substitute adopted 1766; house concurs 1804.

By Joint Committee on Retrenchment and Reform. Relative to adjournment until October 2d, 1913, and help, employes, compensation, etc., on reconvening. Offered 1648; considered 1891.

By Kimball. Authorizing State Printer to print for members of the Assembly any stationery for which he may be provided with a printing order, etc. Offered 1743.

By Heald. Relative to the appointment of a joint committee of doorkeepers to attend the funeral of Daniel L. Castle. Offered 1764; adopted; committee appointed 1764; house concurs and appoints committee 1804.

By Jewell. Relative to executive council and state board of health aiding national authorities in examining pollution of Iowa streams. Offered and adopted 2163-2164; house concurs 2196.

By DeWolf. Relative to city of Waterloo officially accepting the invitation to Panama-Pacific Exposition on behalf of Iowa and be permitted to designate their building as the official state headquarters of the state. Offered 2198; adopted unanimously 2303; senate concurs 2506.

By Larrabee. Relating to a commission to inquire into and report to the Thirty-sixth General Assembly upon the expediency of the adoption of an official state flag, design, etc. Offered and adopted 2280; house concurs 2321.

By Mattes. Relative to shipping to home addresses of members the supplies on their desk at close of session. Offered and adopted 2433; withdrawn 2442.

By Mattes. Relative to certain desk employes of senate and house remaining after the close of session to finish work of their respective offices. Offered and adopted 2433; house amends and passes 2452; senate concurs 2455.

By Webber. Relative to adjournment of the Thirty-fifth General Assembly Saturday, April 19, 1913, at 10 o'clock a. m. Offered 2477; amended 2477; adopted 2477; house amends and concurs 2522; senate concurs 2522.

By Kimball. Relating to investigation by committee on retrenchment and reform and securing information from judges and clerks of district courts of the state and reporting to the Thirty-sixth General Assembly a plan for redistricting state. Offered and adopted 2482; house concurs 2510.

By De Wolf. Relative to the participation of the state historical department in the Panama-Pacific International Exhibition at San Francisco, California. Offered and adopted 2523; house concurs 2546.

HOUSE BILLS

RECEPTION AND ACTION

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1—To amend the law as it appears in sections ten hundred eighty-seven-a ten (1087-a-10), ten hundred eighty-seven-a twenty-two (1087-a22), and ten hundred eighty-seven-a twenty-seven (1087-a27), of the supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third (33d) General Assembly, section eleven hundred six (1106) of the supplement to the code, 1907, and sections eleven hundred fifty (1150), eleven hundred fifty-one (1151), eleven hundred fifty-seven (1157), and eleven hundred sixty-two (1162), of the code, and repealing chapter one (1) of the acts of the special session of the Thirty-second (32d) General Assembly, and enacting a substitute therefor, all relating to the nomination of candidates for the office of senator in the congress of the United States and of the canvass of the vote for senator in the congress of the United States, and providing for nominations for such office in case of vacancy.
Received 369
Referred 371
Reported 606
Passed 659
Motion to reconsider..... 660
Motion to reconsider withdrawn 812
Enrolled 915
Signed 987

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3—To amend section 732 of the supplement to the code, 1907, in relation to library funds and transfer thereof.
Received 434
Referred 435
Reported 1016
Passed 1160
Enrolled 1321
Signed 1372

4—To provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.
Received 370
Referred 371
Returned and referred.....2030

5—Providing for the nonpartisan nomination and election of judges of the supreme, district and superior courts of Iowa.
Received 864
Referred 868
Reported unfavorably 1272
Indefinitely postponed 1272
Motion to reconsider.....1272
Rereferred with instructions.1438
Report substitute....1536 to 1538
Substitute adopted 1586
Passed 1586
House concurs in senate amendments 1884
Enrolled 1968
Signed 1968

6—To amend section twenty-eight hundred forty-nine (2849) of the supplement to the code, 1907, relating to school loans.
Received 322
Referred 328

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Reported and referred..... 604
Withdrawn from committee.. 639
Returned by committee..... 646
Amended 787-788
Passed 788
House concurs in amendment 845
Enrolled 915
Signed 987

7—To invest the district courts of the state of Iowa with jurisdiction and authority to restrain violations of any law heretofore or hereafter enacted to protect the public and trade and commerce against unlawful restraints, trusts, conspiracies, combinations and monopolies, or unfair discrimination between different sections, communities or localities; to cause any person within the state of Iowa to be made party to an action pending in any court in this state, and to require any person, firm, association or corporation to respond to a subpoena in any court in this state, and to give testimony and produce any books, papers or documents in any hearing, investigation, proceeding or prosecution for the violation of any laws relating to pools, trusts, conspiracies, combinations or monopolies, or prohibiting unfair discrimination between different sections, communities or localities, and to provide immunity to the persons so testifying; and to make an appropriation for the purpose of enforcing the provisions of this act and all laws passed to protect trade and commerce against unlawful restraints, trusts, conspiracies, combinations and monopolies, and all laws relating to the fixing of prices and charges, or designed to prohibit unfair discrimination between different sections, communities or localities.
Received 1027
Referred 1032
Reported and referred..1289-1290
Reported unfavorably 1449
Indefinitely postponed 1450
Motion to reconsider.....1450
Motion lost 2102

8—To prohibit the marriage of white persons with those of African descent and prescribing a penalty for the violation thereof.
Received 538
Referred 554
Reported unfavorably 873
Indefinitely postponed 1017

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10—Requiring common carriers and express companies to pay salaries to their employees and servants twice each month and to pay salaries and wages due such servants and employes upon their discharge or voluntary leaving such employment, and providing for a forfeiture in case of failure to pay salaries and wages due within five (5) days after demand.
Received 1250
Referred 1257
Returned and referred.....1912

11—To amend section two hundred fifty-four-a20 (254-a20) of the supplement to the code, 1907, providing for the maintenance of dependent children whose mothers are widows.
Received 1514
Referred 1550
Returned and referred.....2030
Sifting committee returns....2471
Passed 2471
Enrolled 2520
Signed 2540

12—To amend the law as it appears in section two thousand six hundred thirty-four-f (2634-f) of the supplement to the code, 1907, relating to the acceptance of graduation from institutions of higher learning as evidence that a teacher possesses the scholarship and professional fitness for a state certificate.
Received 321
Referred 329
Reported 1721
Passed 2285-2286
Enrolled 2329
Signed 2355

15—To provide for the selection in the district court of additional trial jurors, to provide for the procedure therefor, and for the substitution of such additional jurors in place of jurors who may die or be discharged.
Received 300
Referred 314
Senate indefinitely postpones. 498

17—Giving school boards in certain districts authority to use school buildings and grounds and other public buildings and grounds for public recreation and playground purposes and providing for the levy of separate tax for the support of the same, and authorizing cities within such districts to appropriate money for the same purpose. Additional to chapter fourteen

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(14), title thirteen (13) of the code.
Received 512
Referred 514
Reported 1111
Passed 1223
Enrolled 1455
Signed 1484

18—To repeal section thirty-one hundred eighty-one (3181) of the supplement to the code relative to divorce, annulling marriages, and alimony.
Received ..... 29.)
Referred ..... 31"
Reported unfavorably 1843
Indefinitely postponed 1843

20—To grant power to cities now or hereafter having a population of twenty thousand or over and organized under chapter fourteen-c (14-c) of title five (5) of the supplement to the code, 1907, and amendments thereto, to assume exclusive charge, custody and control of all trees and shrubbery and the planting and maintenance thereof on the public streets and to provide for the payment of the costs thereof.
Received 1250
Referred 1257
Reported with amendments..1607
Amendments adopted 2021
Passed 2021-2022
House concurs 2093
Enrolled 2214
Signed 2198

22—To repeal section three thousand one hundred sixty-five (3165) of the code, and to enact a substitute in lieu thereof, relating to liability for family expenses.
Received 234
Referred 235
Reported 382
Passed 385
Signed 459
Enrolled 468

23—To provide for the appointment of clerk of the supreme court, and reporter of the supreme court, to fix the term of office of such officials, and to repeal section one thousand sixty-seven (1067) of the code.
Received 799
Referred 801
Reported 1843
Passed 2136
Enrolled 2328
Signed 2355

25—To amend section twenty-four hundred forty-eight paragraph nine (2448-9) of the supplement to the code, 1907, regulating the hours

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of the day during which liquor may be sold in licensed saloons.
Received 300
Referred 313
Motion to recall.....1420

26—To amend chapter one hundred (100) section two (2) and section five (5) of the laws of the Thirty-fourth General Assembly regulating the granting of certificates of soundness of stock offered for sale or public service.
Received 259
Referred 261
Returned and referred.....2088

29—To provide for the installation of stopcocks and stop-valves in pipes supplying gas to buildings, by any firm, corporation or association supplying same, and authorizing city and town councils, including cities under special charter and those acting under commission form of government to prescribe the kind, character and location of same by ordinances and providing a penalty for failure to comply with the provisions of this act.
Received 551
Referred 552
Reported unfavorably 867
Indefinitely postponed 867

30—To amend section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code, 1907, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home at Davenport.
Received 1070
Referred 1079
Reported and referred..1269-1270
Reported 1840
Passed 2135
Enrolled 2329
Signed 2355

31—To repeal section six hundred seventy-four (674) of the supplement to the code, 1907, and to enact a substitute therefor relating to the compensation of assessors in cities and towns.
Received 492
Referred 494
Reported with amendments..1269
Amendments adopted 1434
Passed 1435
House concurs in senate amendments 1472
Enrolled 1611
Signed 1580

33—To establish legal weights and measures, to provide for the inspection of the same, to punish the keeping or use

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of false or incorrect weights and measures, to provide for statements of net weight, placing the enforcement in charge of the dairy and food department and to repeal acts in conflict with this act.
Received 1516
Referred 1551
Returned and referred.....1913
Sifting committee returns...2360
Amended 2360-2361
Passed 2361
House concurs 2438
Enrolled 2483
Signed 2485

34—To amend section seven hundred forty-one-d (741-d) of the supplement to the code, 1907, relating to the power to erect a city hall and to purchase the ground therefor in certain cities.
Received 268
Referred 274
Reported 402
Passed 432
Enrolled 502
Signed 517

36—To amend section eight hundred fifty-a (850-a) of the supplement to the code, 1907, relating to the election of park commissioners.
Received 242
Referred 248
Reported with amendments.. 360
Amendments adopted 362
Amended 362
Passed 362
House concurs in senate amendments 413
Signed 459
Enrolled 468

38—Specifying qualifications for judges of the supreme court of Iowa (additional to chapter one (1), title three (3) of the code.
Received 282
Referred 283
Reported unfavorably 426
Indefinitely postponed 426

39—Specifying qualifications for judges of the district court, additional to chapter five (5), title three (3) of the code.
Received 282
Referred 283
Reported unfavorably 427
Indefinitely postponed 427

40—Making it unlawful for any candidate for any office to promise support or influence in behalf of another for any position, place or office in consideration of any other person supporting him, and providing a penalty therefor.

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Received 320
Referred 329
Reported 1872
Passed 2160
House concurs 2195
Enrolled 2328
Signed 2355

41—To provide for the manufacture and sale of binding twine at the reformatory at Anamosa, to levy a tax therefor and to punish violation of this act and of agreements made under its provisions.
Received 1541
Referred 1551
Returned and referred.....1975

42—To amend the law as it appears in section 850-c of the supplement to the code, 1907, as amended by chapters 56 and 57 of the acts of the Thirty-third (33d) General Assembly and chapter 44 of the acts of the Thirty-fourth General Assembly relating to the tax levy for park purposes.
Received 282
Referred 283
Reported 360
Passed 386
Signed 459
Enrolled 468

44—To amend section six hundred sixteen (616) of the code relative to taxation of unplatted lands within the limits of cities and towns.
Received 299
Referred 313
Reported 361
Amended 376
Passed 377
House concurs in senate amendments 414
Signed 459
Enrolled 467-468

45—Providing that all common carriers operating trains within the state of Iowa and conveying live stock shall provide a car equipped with sleeping berths or bunks for the persons in charge of such live stock, and providing a penalty for failure to comply therewith.
Received 1013
Referred 1031
Reported unfavorably 1292
Indefinitely postponed 2159

47—To authorize the incorporation in each county of the state of an association for the advancement and improvement of agriculture, animal husbandry and horticulture, to define the powers and rights of such associations and its members to provide for the submission to the

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voters of the question of levying a tax in aid of the objects of such association and to provide for the termination of such tax.
Received 1576
Referred 1601
Reported 1835
Passed 2073
Enrolled 2329
Signed 2355

48—To amend section six hundred fifteen (615) of the supplement to the code, 1907, relative to the extension of the limits of cities and towns.
Received 299
Referred 313
Reported 361
Passed senate 363
Enrolled 397
Signed 446
Recalled from house..... 539
Received 563
Reconsidered 571
Amended 571
Passed 572
House concurs 672
Enrolled 742
Signed 768

49—Relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the state dairy and food commissioner in relation thereto.
Received 845
Referred 853
Returned and referred.....1913
Returned 2415
Lost on passage.....2415
Senate requests return.....2428
Motion to reconsider.....2429
House returns 2443
Reconsidered 2504
Passed 2504
Enrolled 2555
Signed 2546

50—To amend section five thousand six hundred and fifty-two (5652) of the code, relating to hard labor by persons confined in jails.
Received 476
Referred 479
Reported unfavorably 690
Referred 836
Reported unfavorably 1300
Indefinitely postponed 1301

51—To provide for the representation of the state of Iowa at the Panama-Pacific International Exposition to be held at San Francisco, California, celebrating the opening and commercial use of the Panama canal and making an appropriation therefor.
Received 2435
Referred 2440-2441

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53—To repeal paragraph sixteen (16) of section five hundred eleven (511) of the supplement to the code, 1907, as amended by chapter thirty-six (36) of the acts of the Thirty-third General Assembly relating to the boarding and lodging of prisoners.
Received 242
Referred 248
Reported 329
Passed 373
Signed 459
Enrolled 468

54—Providing for the sanitation of bakeries, canneries, packing houses, slaughter houses, dairies, creameries, cheese factories, confectioneries, restaurants, hotels, groceries, meat markets, and all other food producing establishments, manufactories, or other places where food is prepared, manufactured, packed, stored, sold or distributed, and vehicles in which food is placed for transportation; providing for the licensing of persons, firms or corporations operating or conducting bakeries, candy factories, ice cream factories, canning factories, slaughter houses, meat markets or places where fresh meats are sold at retail; fixing such license fees and the duration of such license and the rights thereunder; defining food, regulating the wholesomeness of food manufactured, prepared, packed, stored, sold, distributed or transported; defining the duties of the state food and dairy commissioner in relation thereto; providing penalties for the violation thereof and repealing acts in conflict therewith.
Received 913
Referred 925
Reported 1494
Passed 1904
Enrolled 2132
Signed 2134

55—To amend section one thousand eighty-seven-a-ten (1087-a-10) of the supplement to the code, 1907, as amended by chapter sixty-nine (69) acts of the Thirty-third General Assembly, and chapters fifty-eight (58) and fifty-nine (59) acts of the Thirty-fourth General Assembly, relating to nomination papers.
Received 913
Referred 924
Reported 1272-1273
Passed 1433
Enrolled 1545
Signed 1520

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58—To amend section eleven hundred eighty-two (1182) of the code, 1897, relating to the giving of bonds by public officers and requiring that bonds be given by county supervisors.
Received 1473
Referred 1500
Returned and referred....2030
Returned 2429
Passed 2429
Enrolled 2483
Signed 2485

59—To repeal section eleven hundred thirty-eight (1138) of the code, and section ten hundred ninety-three (1093) of the supplement to the code, 1907, and to enact substitutes therefor, also to amend sections eleven hundred twenty-four (1124) and eleven hundred thirty-two (1132) of the code, relating to election boards, and the manner of canvassing the ballots.
Received 1515
Referred 1550
Reported 1873

66—To amend the law as it appears in sections 1989-a-19, 1989-a-26, 1989-a-27 and 1989-a-38, of the supplement to the code, 1907, and section 16 of chapter 118 of the acts of the Thirty-third General Assembly, section 5 of chapter 24 of the acts of the Thirty-fourth General Assembly, and chapter 120 of the acts of the Thirty-third General Assembly, relating to assessments for benefits to roads, streets and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued.
Received 414
Referred 415
Reported 773
Amended 831
Passed 831-832
Enrolled 914
Signed 987
Senate requests return....1153
House returns bill....1177
Motion to reconsider....1236
Amended 1237
Passed 1237
House concurs in senate amendments 1327
Enrolled 1455
Signed 1484

68—To amend section one thousand seven hundred forty-one (Sec. 1741) of the code, relating to applications for insurance.
Received 994
Referred 997
Reported unfavorably 1453
Indefinitely postponed 1453

69—To authorize the repayment to the estate of W. R. Benton of money paid to the state of Iowa.
Received 1359
Referred 1363
Reported and referred....1495
Reported 2346
Passed 2407
Enrolled 2458
Signed 2466

75—To amend section nine (9) of chapter sixty-four (64) acts of the Thirty-third (33) General Assembly of Iowa, relating to the government of certain cities.
Received 322
Referred 328
Reported unfavorably 1014
Indefinitely postponed 1014

78—To amend the law as it appears in section twenty-one hundred and fifty-seven-s (2157-s) supplement to the code, 1907, relating to the transportation of live stock.
Received 300
Referred 313
Reported 805
Passed 910
Enrolled 1084
Signed 1110

85—To repeal section five thousand twenty-eight-b (5028-b) of the supplement to the code, 1907, and chapter two hundred twenty-two (222), laws of the Thirty-third General Assembly, amendatory thereof, and to enact a substitute therefor relating to unfair discrimination in any commodity of commerce between different sections, localities, communities, cities or towns.
Received 994
Referred 997
Reported 1054
Amended 1220
Passed 1221
House concurs in senate amendments 1326
Enrolled 1454
Signed 1484

86—To amend section two hundred twenty-seven (227) of the code supplement of 1907, as amended by the Thirty-fourth General Assembly, and to provide for an additional judicial district and an additional judge for fourth judicial district.
Received 568
Placed on calendar.... 571
Passed 622-623
Enrolled 742
Signed 768

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87—To amend section forty-six hundred three (4603) of the code by providing for the cross examination of the adverse party to the record of any civil action or proceeding, or a person for whose benefit action or proceeding is prosecuted or defended, or the directors, officers, superintendent, or managing agents of any corporation which is a party to the record, and providing that the party calling such witness shall not be bound by his testimony and that the testimony of such witness may be rebutted by the party calling such witness by other evidence; all relating to evidence in civil actions and proceedings.
Received 799
Referred 801
Reported unfavorably 1038
Indefinitely postponed 1039
Senate requests house to return bill 1145
House returns 1147
Reconsidered 1438
Amended 1879
Lost on passage.....1879

90—To repeal sections one (1) and five (5) of chapter sixty-one (61) of the acts of the Thirty-third General Assembly as amended by chapter fifty (50) of the acts of the Thirty-fourth General Assembly and to enact substitutes therefor, relating to pensions for disabled and retired firemen.
Received 1623
Referred 1631
Reported 1861
Passed 2076-2077
Enrolled 2330
Signed 2355

93—To repeal chapter one hundred and forty-six (146) of the acts of the Thirty-fourth General Assembly, relating to high school tuition, and to enact a substitute therefor.
Received 994
Referred 997
Reported with amendments.. 1868-1869
Amended 2156-2157
Passed 2158
House concurs 2195
Enrolled 2383
Signed 2410

98—To amend the law as it appears in section two thousand seven hundred thirty-four-b (2734-b) supplement to the code, 1907, relating to the qualifications of county superintendent.
Received 600
Referred 601
Returned and referred.....1975

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99—To repeal section two thousand two hundred sixty-one (2261) and section two thousand three hundred nine (2309) of the code relative to commissions of insanity and enact substitutes therefor.
Received 1621
Referred 1629
Returned and referred.....2030

103—To limit and restrict the jurisdiction and power of the supreme court, in passing upon the constitutionality of acts of the general assembly.
Received 300
Referred 313
Indefinitely postponed.....498-499

104—To provide additional chairs in the college of homeopathic medicine of the state university of Iowa, additional to chapter 168, acts of the 16th general assembly.
Received 2191
Referred 2281

105—To provide for the payment of bounties for killing crows.
Received 551
Referred 552
Reported with amendments... 1055
Passed 1442
Enrolled 1611
Signed 1580

107—To amend the law as it appears in sections twenty-five hundred and five (2505) and twenty-five hundred and eight (2508) of the supplement to the code, 1907, in reference to the inspection of petroleum products.
Received 1284
Referred 1288
Returned and referred.....2162

108—To prohibit the sale, keeping for sale, loaning, giving away or carrying of certain dangerous weapons, to prevent the carrying of concealed weapons, except in specified cases when a permit is issued therefor; to provide punishment for the violation of the provisions thereof.
Received 1324
Referred 1334
Reported and referred.....1620
Returned and referred.....2030
Sifting committee returns...2476
Passed 2476
Enrolled 2554
Signed 2546

110—To provide for the nomination of district judges in judicial districts composed wholly of one county and having a population of 75,000 or more, at the primary election.

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Received 864
Referred 868
Reported 1418
Considered 1633
Amended 1635
Passed 1635
House concurs 1924
House concurs 1980
Enrolled 2133
Signed 2134

113—To amend section 2116 of the supplement to the code, 1907, as amended by chapter 128 of the acts of the Thirty-third General Assembly, prescribing the duties of railroad companies to furnish cars to shippers upon application.
Received 1394
Referred 1400
Returned and referred.....1912

115—To amend section seven hundred forty (740) of the supplement to the code, 1907, as amended by chapter forty-seven (47) of the acts of the Thirty-third General Assembly, relating to powers of counties, cities, towns, civil townships wholly outside any city or incorporated town and school corporation to take property by gift or bequest.
Received 1143
Referred 1145
Reported 1197
Rereferred 1235
Report substitute...1534 to 1536
Substitute adopted 1711
Passed 1712
House concurs 1924
Enrolled 2133
Signed 2134

119—To amend section four hundred thirty (430) of the supplement to the code, 1907, as amended by chapter twenty-five (25) of the laws of the Thirty-fourth General Assembly relative to the dependent soldiers' and sailors' tax.
Received 1358
Referred 1362
Reported 1542
Passed 1788
Enrolled 1909
Signed 1902

124—To indemnify H. C. Jackson for personal injury sustained by him while employed as head farmer at the state hospital at Mt. Pleasant, Iowa.
Received 1422
Referred 1422
Reported and referred.....1495
Reported 1867
Passed 2155
Enrolled 2328
Signed 2355

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127—To amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code, 1907, in regard to the qualifications of certain officers of the Soldiers' Home.
Received 301
Placed on calendar.....314-315
Passed senate 317
Enrolled 377
Signed 446

131—To amend the law as it appears in section seven hundred twenty-four (724), supplement to the code, 1907, and in section eight hundred ninety-four (894), supplement to the code, 1907, relating to the powers of cities and towns.
Received 1284
Referred 1288
Reported with amendments..1862
Passed 2078
Enrolled 2213
Signed 2198

132—To provide state aid to consolidated schools equipped with two or more rooms and which include in their course of study industrial and vocational subjects, and making an appropriation therefor.
Received 912
Referred 924
Reported and referred.....1085
Reported with amendments..1173
Amendments adopted 1224
Passed 1224
House concurs in senate amendments 1326
Enrolled 1454
Signed 1484

133—To amend the law as it appears in section one thousand eight hundred and sixty-nine (1869) of the supplement to the code, 1907, relating to pay of and loan to officers of savings and state banks.
Received 1143
Referred 1144
Returned and referred.....1911

134—To amend the law as it appears in paragraph eight (8) of section eight hundred and ninety-four (894) of the supplement to the code, 1907, relating to the levy of special taxes by cities.
Received 300-301
Referred 314
Reported 1013
Amended 1159
Passed 1159
Enrolled 1454
Signed 1484

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135—To amend the law as it appears in chapter sixty-four (64) acts of the Thirty-third General Assembly, relating to the government of certain cities.
Received 329
Referred 329
Substitute reported 401
Substitute adopted 442
Made special order..... 442
Considered 518
Amended 519
Made special order..... 520
Amendments withdrawn 561
Amended 561
Passed 563
House refuses to concur..... 672
Conference committee.....699-781
Conference committee report. 812
House adopts report..... 848
Senate adopts report..... 983
Senate concurs in committee amendments 987
Passed 989
Enrolled 1084
Signed 1110

138—To legalize certain warrants of the city of Onawa, Iowa.
Received 721
Referred 724
Reported 1038
Passed 1151
Enrolled 1321
Signed 1372

143—To repeal the law as it appears in section twenty-five hundred sixty-four (2564) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the state board of health.
Received 1177
Referred 1206
Reported with amendments..1301
Referred 1327
Reported with amendments..1697
Amended and passed.....2065
House concurs 2120
Enrolled 2344
Signed 2362

149—To amend the law as it appears in section ten hundred and fifty-six-a-nine (1056-a-9) of the supplement to the code, 1907, relating to municipal accounting of cities and towns.
Received 913
Referred 924
Reported 1607
Passed 2104
Enrolled 2330
Signed 2355

155—Amending sections three thousand one hundred forty-six (3146) and three thousand one hundred forty-seven (3147) of the code, relative to the time for making return of solemnization of marriage.
Received 538

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Referred 553
Reported with amendments.. 730
Amended 816
Passed 816
Enrolled 915
Signed 987

157—To amend section twenty-five hundred and eighty-four (2584) of the code; to repeal section twenty-five hundred and eighty-nine-a (2589-a) supplement to the code, 1907, as amended by section two (2) of chapter one hundred and twenty-three (123) laws of the Thirty-fourth General Assembly, and to enact a substitute therefor; to repeal section twenty-five hundred and eighty-five (2585) of the supplement to the code, 1907, as amended by chapter one hundred twenty-three (123) of the acts of the Thirty-fourth General Assembly and enact a substitute therefor, relating to practice of pharmacy and to sale of drugs, medicines, poisons and chemicals.
Received 357
Referred 359
Reported with amendments... 488-489
Amended and passed.....588-589
House refuses to concur.... 672
Senate insists 1017
Conference committee appointed 1017-1143

158—To repeal section three thousand seven hundred and five (3705) of the code and to enact a substitute in lieu thereof relative to the instructions of the district court.
Received 447
Referred 452
Reported unfavorably 1844
Special order 2088
Amended 2137
Passed 2138
Motion to reconsider..... 2138-2139-2140
House concurs 2195
Enrolled 2329
Signed 2355

159—To amend section three thousand seven hundred fifty-six (3756) of the code relating to the hearing of motions for a new trial and the decisions thereon.
Received 800
Referred 801
Reported unfavorably 1196
Indefinitely postponed 1196

160—To repeal section one hundred ninety-three (193) and one hundred ninety-four (194) of the code and to enact a substitute therefor

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providing for an increase in the number of judges in the supreme court of Iowa, and providing for a division of said court into sections, and to amend section ten hundred sixty-six (1066) of the supplement to the code, 1907, in reference to the selection of the chief justice of said court.
Received 1249
Referred 1256
Reported with amendments...1855
Amendments adopted....2017-2018
Amended and passed.....2019
House concurs 2120
Enrolled 2213
Signed 2198

162—To legalize the special election held in the town of Calmar, Iowa, on the 16th day of October, 1911, wherein there was submitted to the voters of said town the question of issuing bonds in the sum of five thousand dollars ($5,000.00) for the purpose of erecting a system of gas works and to validate and legalize the bonds issued in pursuance of said election.
Received 454
Referred 459
Reported 665
Passed 735
Enrolled 824
Signed 889

165—To amend the law as it appears in chapter seventy-eight (78) acts of the Thirty-third (33d) General Assembly, as amended by chapter sixty (60) acts of the Thirty-fourth (34th) General Assembly relating to the removal of officers for misfeasance, malfeasance or nonfeasance in office.
Received 439
Referred 440
Recalled by house..... 447
Request granted 452
Received 491
Referred 494
Returned and referred.....2030

166—To provide additional qualifications for office, and relating to removal from office. (Additional to chapter 6, title VI, of the code, relating to qualifications for office.)
Received 759
Referred 767
Reported unfavorably 1044
Passed on file.....1045
Considered 1174
Lost on passage.....1962

169—To amend division two of section twenty-four hundred forty-eight (2448) of supplement to the code of 1907, relating to the limits within which intoxicating liquors may be sold.
Received 1012
Referred 1031
Motion to recall 1635
Reported with amendments..1641
Made special order.....1643
Referred with instructions...1643
Consideration postponed 1685
Reported 1690
Amended and passed...1690-1695
House concurs 2321
Enrolled 2384
Signed 2410

170—To encourage the dairy and beef growing industries of the state of Iowa, and to aid in providing instruction in practical and scientific methods and making an appropriation therefor.
Received 2191
Referred 2281
Reported 2347
Passed 2408
Enrolled 2458
Signed 2466

173—To amend the law authorizing the sale of intoxicating liquors by permit holders as the same appears in sections twenty-three hundred eighty-five (2385), twenty-three hundred eighty-seven (2387), twenty-three hundred ninety-one (2391), twenty-three hundred ninety-four (2394), twenty-three hundred ninety-five (2395), twenty-three hundred ninety-six (2396), twenty-three hundred ninety-seven (2397), twenty-three hundred ninety-eight (2398) of the code, and sections twenty-three hundred eighty-six (2386), twenty-three hundred eighty-eight (2388), twenty-three hundred ninety (2390), twenty-three hundred ninety-two (2392) and twenty-four hundred one (2401) of the supplement to the code, 1907, as amended by chapter one hundred thirty-nine (139) of the acts of the Thirty-third General Assembly and chapter one hundred and three (103) of the acts of the Thirty-fourth (34th) General Assembly.
Received 1378
Referred 1389-1390
Reported 1640
Made special order.....2025
Amended 2053-2058
Lost on passage 2058
Motion to reconsider and lay on table 2060

175—To amend section 2732 of chapter 12, title XIII, of the supplement to the code, 1907, and section 2772 of

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the code regulating the conduct of pupils of the public schools, and forbidding the use of tobacco by such pupils.
Received 1251
Referred 1253
Reported 1406
Passed 1735
Enrolled 1839
Signed 1902

177—To legalize certain acts of the mayor and city council of the city of Marshalltown, and to legalize certain warrants of the said city of Marshalltown, Iowa.
Received 455
Referred 459
Reported 574
Amended and passed..... 611
House concurs 672
Enrolled 743
Signed 768

179—Authorizing the recording of transcripts from recorder's office of instruments affecting real estate. (Additional to chapter 6, title 14, of the code relating to conveyances of real estate.)
Received 476
Passed on file.....480
Passed 517-518
Enrolled 583
Signed 586

183—To repeal section twenty-five hundred fifty-three (2553) of the code and to enact a substitute therefor, relating to trapping, killing or ensnaring certain fur bearing animals.
Received 1622
Referred 1630
Returned and referred.....2030

184—To create a law and legislative reference and bill drafting department of the state library; providing for a director and subordinate officers and employes thereof; prescribing the duties and fixing the salaries thereof, and making an additional appropriation therefor.
Received 1622
Referred 1630
Returned and referred 1911
Reported and referred.....2059

189—Legalizing and curing the acts and proceedings of the incorporated town of Aurelia and the town council of the said incorporated town, in the county of Cherokee and state of Iowa, in relation to the establishment, erection, maintenance and operation of a system of water works and a gas plant and the issuance of bonds and warrants of said town in payment thereof, and authorizing the town council of said town to issue bonds for the purpose of taking up its floating indebtedness represented by its bonds and warrants.
Received 454
Referred 459
Reported 665
Passed 791
Enrolled 915
Signed 987

191—Authorizing the commission of pharmacy of the state of Iowa to pay to L. Rasmussen the sum of $100.00 paid by him for a license as an itinerant vendor of drugs.
Received 1069
Referred 1077
Reported and referred..1494-1495
Reported unfavorably 1841
Indefinitely postponed 1841

192—To amend the law as it appears in paragraph three (3) of section three thousand four hundred forty-seven (3447) of the code, relating to the time of bringing an action to set aside a will.
Received 1068
Referred 1077
Reported 1538
Amended 1588
Title amended 1589
Passed 1589
House concurs in senate amendments 1709
Enrolled 1727
Signed 1776

199—To provide for municipal courts for certain cities and the adoption thereof by submission to the electors at a general election, providing for jurisdiction thereof, mode and manner of procedure therein; providing for the election of the judges of such municipal courts and defining their powers and duties; providing for the manner of preparing and who shall constitute the jury list, manner of drawing jury panels and jurors; also defining certain duties of other officials and providing penalties for the violation thereof.
Received 1979
Referred 1982

200—To amend section one (1) of chapter 161, of the laws of the Thirty-fourth General Assembly of Iowa relating to the foreclosure of real estate mortgages.
Received 476
Referred 479
Reported 730
Passed 817
Enrolled 916
Signed 987

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201—To establish the state colony for epileptics and making an appropriation for the purchase of land and the erection of buildings for said colony.
Received 2191
Referred 2281
Reported 2346
Passed 2407-2408
Enrolled 2458
Signed 2466

206—To legalize the ordinances of the town of New Market, Taylor county, Iowa.
Received 491
Referred 494
Reported with amendments.. 876
Amendments adopted 911
Passed 912
House concurs in senate amendments 1027
Enrolled 1084
Signed 1110

207—Making appropriations for the state university, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, and the College for the Blind.
Received 2527
Considered 2531
Amended and passed...2531-2532
Enrolled 2554
Signed 2555

212—To amend the law as it appears in section seven hundred twenty (720,) supplement to the code, 1907, as amended by chapter forty-four (44), acts of the Thirty-third (33d) General Assembly, and chapter thirty-four (34), acts of the Thirty-*fourth* (34*th*) General Assembly, and to authorize cities and towns to enter into contracts to purchase heat, gas, and electric current, and to sell the same.
Received 1284
Referred 1288
Reported 1862
Passed 2078-2079
Enrolled 2330
Signed 2355

220—To amend section three (3), chapter one hundred seventy-four (174), laws of the Thirty-fourth (34th) General Assembly, relating to the misbranding of foods.
Received 1248
Referred 1255
Reported 1494
Passed 1786
Enrolled 1909
Signed 1902

223—To amend section sixteen hundred fifty-seven-n (1657-n), supplement to the code, 1907, relative to the compensation of the secretary of the department of agriculture.

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Received 1996
Referred 2000
Sifting committee returns....2335
Passed 2335-2336
Enrolled 2383
Signed 2410

224—To amend section 1989-a-41 of the supplement to the code, 1907, and amendments thereto, relative to the compensation to be paid appraisers of damages and commissioners of drainage districts.
Received 671
Referred 678
Reported 1849
Passed 2140
Enrolled 2329
Signed 2355

226—To amend section sixteen hundred sixty (1660) of the supplement to the code, 1907, to aid county agricultural societies.
Received 1379
Referred 1390
Reported 1425
Passed 1633-1634
Enrolled 1839
Signed 1902

228—To authorize heads of state institutions under the board of control of state institutions to deposit in bank money in their hands belonging to inmates and to provide for the use of the income from such deposits.
Received 1251
Referred 1258
Reported unfavorably 1835
Indefinitely postponed.....1835

230—To establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act.
Received 1625
Referred 1632
House requests return.....1884
Senate grants request.....1891

231—To amend section one (1), chapter one hundred four (104) of the acts of the Thirty-third General Assembly, as amended by chapter seventy-three (73) of the acts of the Thirty-fourth General Assembly, relative to recording of articles of incorporation of corporations for pecuniary profit.
Received 800
Referred 801
Returned and referred.....2029

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234—To regulate the business of loaning money or credit by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, real estate brokers and pawnbrokers.
Received 1516
Referred 1551
Reported unfavorably 1851
Indefinitely postponed 1851
Objection to motion to reconsider 2063
Objection to motion to reconsider 2072

235—To legalize certain warrants of the city of Bedford, Iowa.
Received 720
Referred 724
Withdrawn from committee.. 735
Passed 736
Enrolled 824
Signed 889

236—Legalizing the adoption, signing, recording and publication of the ordinances of the city of Bedford, Iowa.
Received 569
Referred 571
Reported with amendments..1043
Amendments adopted 1165
Passed 1165
House concurs 1326
Enrolled 1455
Signed 1484

241—To repeal section two thousand five hundred and seventy-five-a-52 (2575-a-52) of the supplement to the code, 1907, and to enact a substitute therefor, making annual appropriations for carrying on the work of the state entomologist.
Received 1799
Referred 1806
Reported 2200
Passed 2315
Enrolled 2383
Signed 2410

242—To amend section ten hundred and seventy-six (1076) of the supplement to the code, 1907, relating to the registration of voters.
Received 1250
Referred 1257-1258
Reported unfavorably 1419
Indefinitely postponed 1419

245—To prohibit public treating to intoxicating liquors, and prescribing penalties therefor.
Received 1251
Referred 1258
Reported unfavorably 1698
Indefinitely postponed 1698
Motion to reconsider 1720

247—To declare certain diseases contagious and infectious, and to provide rules and regulations for the control of the same, and to fix punishment for violation thereof.
Received 1028
Considered 1031
Placed on calendar 1031
Passed 1155
Enrolled 1321
Signed 1372

249—Making an appropriation to reimburse certain employes of the Iowa school for the deaf for loss of wearing apparel, by fire, at said school, on the 23d day of April, 1911.
Received 1069
Referred 1077
Reported 1254
Referred 1254
Report substitute 1547
Amended and passed...2050-2051
House concurs 2119
Enrolled 2329
Signed 2355

250—To amend the law as it appears in section twelve hundred seventy-two (1272) supplement to the code, 1907, relating to the filling of vacancies in office.
Received 1251
Referred 1258
Reported unfavorably 1300
Indefinitely postponed 1301

255—To amend section two thousand seven hundred and seventy-three (2773) of the supplement to the code, 1907, relating to legal holidays in common schools.
Received 1395
Referred 1400
Reported unfavorably 1852
Indefinitely postponed 1852

259—Creating the office of state examiners for counties, fixing their compensation, duties, terms of office, and method of appointment, providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, reports and audits for counties, and providing penalties for violation of this act.
Received 1359
Referred 1363
Withdrawn and referred.....1392
Reported with amendments...1772
Amended and passed 2080
House concurs 2120
Enrolled 2328
Signed 2355

260—To amend section two thousand seven hundred twenty-seven-c (2727-c) of chapter eleven-a (11-a), supplement to the code of 1907, relating to school for blind.
Received 1284

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Referred 1288
Reported 1403
Title amended 1520
Passed 1519
House concurs 1628
Enrolled 1727
Signed 1776

261—To amend section twenty-eight hundred and fourteen (2814) of the supplement to the code, relative to the acquisition of school sites.
Received 1285
Referred 1288
Returned and referred 1975
Sifting committee returns 2332
Amended 2332
Passed 2333
House concurs 2437
Enrolled 2458
Signed 2466

262—To amend the law relating to county uniformity of text books as the same appears in section twenty-eight hundred twenty-four (2824), of the code, and in section twenty-eight hundred thirty-one (2831), supplement to the code, 1907, and to repeal the law as it appears in section twenty-eight hundred thirty-two (2832), supplement to the code, 1907, relating to the same subject and to enact a substitute therefor.
Received 1380
Referred 1389
Returned and referred 2088
Request for return 2091
Request lost 2109

265—To repeal section twenty-one (21) and to amend section twenty-four (24) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly, relating to the powers and duties of the sheriff and providing for the payment of the officers and men of the national guard.
Received 1250
Referred 1257
Reported 1772
Passed 1922
Enrolled 2133
Signed 2134

266—To amend sections twenty-six (26) and forty-three (43) of chapter one hundred thirty-one (131) of the acts of the Thirty-third General Assembly, relating to armory rent and making an appropriation therefor.
Received 1761
Referred 1767
Reported 1921
Passed 1923
Enrolled 2133
Signed 2134

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271—Relating to the protection of employes on street railway, enclosing platforms and vestibules, and providing for the heating of same, and providing for seats for certain employes and providing for toilet facilities for employes, amendatory of section seven hundred sixty-eight (768) of the supplement to the code.
Received 1421
Referred 1423
Returned and referred 1912

273—To repeal section ten hundred eighty-seven-a-one (1087-a-1) of the supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, and to enact a substitute therefor; to repeal section ten hundred eighty-seven-a-ten (1087-a-10) of the supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, and to enact a substitute therefor; to repeal section ten hundred eighty-seven-a-twenty-seven (1087-a-27) of the supplement to the code, 1907, as amended by section sixteen (16) of chapter sixty-nine (69) of the acts of the Thirty-third General Assembly; to amend section ten hundred eighty-seven-a-fourteen (1087-a-14) of the supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the Thirty-third General Assembly; and to amend section ten hundred eighty-seven-a-twenty (1087-a-20) of the supplement to the code, 1907, and to amend section ten hundred eighty-seven-a-twenty-five (1087-a-25) of the supplement to the code, 1907, as amended by section fourteen (14) of chapter sixty-nine (69) of the acts of the Thirty-third General Assembly, relating to the nomination of candidates for president and vice-president of the United States and of the election of party national committeemen.
Received 537
Referred 554
Returned and referred 1912

278—To amend the law as it appears in section twenty-four hundred twenty-eight (2428) of the code, relating to the duties of peace officers.
Received 1070

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Referred 1078
Reported 1844
Sifting committee returns....2313
Passed 2313
Enrolled 2446
Signed .....

288—To make an appropriation for the payment of the expenses of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance at the final hearing in the case before the interstate commerce commission, involving general advancement in rates.
Received 1761
Referred 1767
Reported 2087
Passed 2197
Motion to reconsider.....2322
Enrolled 2345
Senate requests return.....2359
Signed 2362

290—To amend section six hundred ninety-six (696) of the supplement to the code, 1907, relating to the prevention of nuisances and the regulation of slaughter houses and other such places by cities and towns.
Received 1624
Referred 1632
Reported unfavorably 1863
Indefinitely postponed.....1863
Motion to reconsider.....1902
Sifting committee returns....2357
Reconsidered 2357
Amended 2357
Passed 2357-2358
Title amended 2358
House concurs 2439
Enrolled 2484
Signed 2485

291—To amend section five thousand and forty-a (5040-a) of the supplement to the code, 1907, relating to the proper observance of Decoration day.
Received 1358
Referred 1362
Reported 1449
Amended 1962
Passed 1963
House concurs 2093
Enrolled 2214
Signed 2198

293—To legalize the incorporation of Humboldt State Bank, Humboldt, Iowa.
Received 721
Referred 724
Reported with amendment... 807
Amendment adopted 987
Passed 988
House concurs 1285
Enrolled 1085
Signed 1110

295—To provide for the care and treatment of indigent children under the direction of the state board of control, and to make an appropriation therefor.
Received 2192
Referred 2281

298—Relating to elevators and warehouses on railroad land and prescribing methods and conditions of procuring and holding sites therefor, and liability for loss or destruction thereof.
Received 1358
Referred 1363
Reported with amendments.. 1866-1867
Amended 2147-2148
Passed 2148
House concurs 2195
Enrolled 2345
Signed 2362

300—To amend the law as it appears in section four thousand seven hundred and ninety-nine-a (4799-a) of the supplement to the code, 1907, relating to burglary with explosives.
Received 1577
Referred 1601
Returned and referred.....2030
Sifting committee returns....2331
Passed 2332
Enrolled 2446
Signed .....

302—To amend the law relating to the sale of concentrated feeding-stuffs, as it appears in section five thousand seventy-seven-a-8 (5077-a-8) of the supplement to the code, 1907.
Received 1435
Referred 1456
Returned and referred.....1913
Lost on passage 2279-2280

303—To require all persons, partnerships, companies or corporations owning or operating a railway in this state, to equip the cab of all locomotive engines with frost glass in front of the seat of the engineer and firemen of said engine, and providing a penalty for the violation thereof.
Received 1394
Referred 1399
Reported 1574
Passed 1741
Enrolled 1839
Signed 1902

304—To amend chapter one hundred eighty-four (184) of the acts of the Thirty-fourth (34th) General Assembly relative to the suspension of the execution of the sentence of certain convicts on first conviction.
Received 1251

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Referred 1258
Returned and referred.....2030
Sifting committee returns....2338
Amended 2338
Passed 2338
House concurs 2439
Enrolled 2458
Signed 2466

306—To amend section seven hundred thirty-two (732), and eight hundred ninety-four (894), of the supplement to the code, 1907, relative to the levying of taxes for public libraries.
Received 1435
Referred 1456
Reported 1615
Passed 2023
Enrolled 2150
Signed 2198

308—Declaring telegraph companies and telephone companies to be common carriers, and subject to the laws governing common carriers so far as applicable, and placing telegraph and telephone companies operating within this state under the supervision of the railroad commissioners, and giving to such railroad commissioners power and authority to inquire into unjust discrimination, neglect or violation of the laws governing common carriers, and to compel such telegraph and telephone companies to make such suitable connection at points where competing companies have offices or terminals, and providing penalties for the violation of this act.
Received 1706
Referred 1718
Returned and referred.....1911

309—To amend section 3656 of the code relative to trial terms in equitable actions in the district court.
Received 1027
Referred 1031
Reported unfavorably 1197
Indefinitely postponed 1197

312—To confer certain powers on cities organized under the commission form of government and on cities having a population of five thousand (5,000) or more organized under chapter two (2) of title five (5) of the code, and cities organized under special charter relating to the organization, equipment and operations of fire departments, and providing for the levy and collection of a special tax for the use and benefit of such fire departments and granting power to anticipate said tax and to issue fire fund certificates or bonds.
Received 1248
Referred 1255-1256
Reported 1606
Amended and passed...1992-1993
House amends and concurs..2092
Considered 2094
Senate concurs 2181
Enrolled 2345
Signed 2362

313—To legalize certain warrants of the city of Iowa City, Iowa.
Received 1394
Referred 1400
Reported 1538
Passed 1776-1777
Enrolled 1909
Signed 1902

316—To amend the law relating to the granting of franchises by cities and towns, as it appears in section seven hundred seventy-six (776) of the supplement to the code, 1907, as amended in chapter forty-four (44) of the acts of the Thirty-third General Assembly.
Received 1541
Referred 1551
Returned and referred.....2029

323—To repeal section five thousand twenty-eight-a (5028-a) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the prevention and punishment of the desecration, mutilation or improper use of the flag of the United States of America and the flag of the state of Iowa.
Received 1068
Referred 1076
Reported 1608
Passed 1880
Enrolled 2133
Signed 2134

326—Making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission.
Received 2190
Referred 2280
Returned 2412
Amended 2412
Passed 2412
House refuses to concur.....2437
Senate insists 2441
Senate names conference committee 2441
House names conference committee 2452
House passes 2527
Report of conference committee 2527
Passed 2528
Enrolled 2554
Signed 2555

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327—Making an appropriation to enable the state railroad commission to investigate and prepare cases affecting Iowa intrastate rates and services.
Received 2190
Referred 2280
Returned 2411
Amended 2411
Passed 2411
House refuses to concur..... 2437
Senate insists 2441
Senate names conference committee 2441
House names conference committee 2452
House indefinitely postpones. 2526

329—To encourage corn and small grain growing in the state of Iowa and to aid in conducting an exposition and convention of the grain growers of the state and to make an appropriation therefor.
Received 2287
Referred 2295

334—To provide for the planting, care and protection of ornamental and shade trees on all residence streets of cities of the first class, and special charter cities; and to provide penalties for violation thereof.
Received 1798
Referred 1805
Reported unfavorably 1861
Indefinitely postponed 1861
Motion to reconsider..... 2163
Recalled from house..... 2163
House returns 2289
Amended 2456
Lost on passage..... 2456

335—To amend the law as it appears in sub-division five (5) section one thousand seven hundred and nine (1709) of the supplement to the code, 1907, relating to health, accident and liability insurance.
Received 1069
Referred 1078
Returned and referred..... 2029
Returned 2414
Passed 2414-2415
Motion to reconsider..... 2417
Reconsidered 2417
Amended 2417
Passed 2418
House concurs 2439
Enrolled 2459
Signed 2466

336—Authorizing the issue of a patent to the southeast quarter (S. E. ¼) of the southeast quarter (S. E. ¼) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M.

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Received 719
Referred 725
Reported 1044
Passed 1166-1167
Enrolled 1321
Signed 1372

337—Authorizing the issue of a patent to the northeast quarter (N. E. ¼) of the southeast quarter (S. E. ¼) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M.
Received 721
Referred 724
Reported 1044
Passed 1166
Enrolled 1322
Signed 1372

338—To amend section five thousand one hundred and nineteen (5119) of the code, defining vagrancy.
Received 1436
Referred 1456
Returned and referred..... 2030
Sifting committee returns... 2468
Passed 2468-2469
Enrolled 2520
Signed 2540

340—To amend the law as it appears in sections ten hundred seventy-two (1072), twenty-seven hundred forty-two (2742) and twelve hundred seventy-two (1272) supplement to the code, relating to the office of county superintendent of schools, to repeal section twenty-seven hundred thirty-four-b (2734-b), supplement to the code, 1907, relating to the office of county superintendent of schools and to provide for the election, qualifications, duties and compensation of a county superintendent of schools.
Received 1541
Referred 1552
Senate requests committee to return 1725
Committee returns 1725
Amended 1725-1726
Passed 1726-1727
Motion to reconsider filed... 1793
Motion withdrawn 1923
House concurs in senate amendments 2289
Enrolled 2382
Signed 2410

343—To legalize an election held in the town of Modale, Iowa, March 25th, 1912, in electing councilmen; and to legalize the acts of the council of said town in filling vacancies in said council.
Received 726

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Referred 724
Reported 1038
Passed 1151-1152
Enrolled 1322
Signed 1372

346—To repeal sections thirty-five hundred forty-three (3543) and thirty-five hundred forty-four (3544) of the code of Iowa, 1897, and to enact a substitute in lieu thereof, relative to the filing of a lis pendens.
Received 1881
Referred 1886
Sifting committee returns... 2334
Amended 2334
Made special order..... 2334
Passed 2378
House concurs 2438

347—To amend section thirty-five hundred thirty-four (3534) of the code of Iowa, 1897, relating to service by publication when an affidavit is filed that personal service cannot be made on defendant within this state.
Received 1472
Referred 1499
Reported unfavorably 1845
Passed 2425
Enrolled 2483
Signed 2485

349—To amend the law as it appears in section seven (7) of chapter one hundred sixty-nine (169) of the acts of the Thirty-third (33d) General Assembly relating to the compensation of state bee inspector, and to make an appropriation therefor.
Received 1762
Referred 1768
Reported substitute 1910
Substitute adopted 2311
Amended and passed... 2311-2312
House concurs 2437
Enrolled 2483
Signed 2485

350—To amend section twenty-seven hundred thirty-four-p (2734-p) supplement to the code, 1907, relating to qualifications of teachers.
Received 1357
Referred 1362
Returned and referred..... 1975
Sifting committee returns.... 2323
Amended 2323
Passed 2323-2324
House concurs 2439
Enrolled 2484
Signed 2485

356—To amend section four thousand eight hundred twenty-three (4823) of the code pertaining to malicious mischief and trespass.
Received 1071
Referred 1079
Reported 1299

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Passed 1438
Enrolled 1545
Signed 1520

358—To repeal section four hundred ninety-five (495) of the supplement to the code, 1907, and to enact a substitute therefor, relating to the duties and compensation of county recorder.
Received 2461
Referred 2477
Returned 2541
Passed 2541
Enrolled 2553
Signed 2555

361—To repeal section two thousand twenty-two (2022) of the supplement to the code, 1907, and to enact a substitute therefor, providing for private crossings over railroads and giving the board of railroad commissioners power to make orders when the land owner and railroad company are unable to agree.
Received 1798
Referred 1805
Returned and referred..... 1912
Returned 2428
Passed 2428
Enrolled 2484
Signed 2485

362—To amend the law as it appears in section twenty-six hundred twenty-two (2622), supplement to the code, 1907, and to repeal the law as it appears in section twenty-seven hundred thirty-eight (2738), supplement to the code, 1907, as amended by chapter one hundred thirty (130), acts of the 34th General Assembly, and to enact a substitute therefor, relating to normal institutions.
Received 1707
Referred 1719
Returned and referred..... 1975
Returned 2420
Passed 2421
Enrolled 2517
Signed 2510

368—Repealing the law as it appears in section twenty-four hundred fifty (2450) supplement to the code, 1907, and providing a substitute therefor relating to statements of consent to keep for sale and sell intoxicating liquors under the mulct law.
Received 1705
Referred 1718
Returned and referred..... 1912

372—To define the functions of the state teachers' college at Cedar Falls, the State Uni-

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versity at Iowa City, and the State College of Agriculture and Mechanic Arts at Ames, and the powers of the state board of education.
Received 630
Referred 635
Reported unfavorably 1088
Placed on calendar.....1088

375—To authorize the sale and conveyance of that part of the west half (W. ½) of the southwest quarter (S. W. ¼) of section numbered nineteen (19) in township numbered seventy-eight (78) north of range numbered four (4) east of the fifth principal meridian bounded by lines described as follows: Commencing at a point in the east boundary line of said west half (W. ½) of the southwest quarter (S. W. ¼) twenty-three 12-00 (23.12) chains north of the southeast corner of said west half (W. ½) of the southwest quarter (S. W. ¼), thence running west five (5) chains, thence north nine (9) chains, thence east five (5) chains to said east boundary line, thence south along said boundary line to the place of beginning, subject to recorded highway reservations.
Received 1070
Referred 1078
Reported 1403
Passed 1432
Enrolled 1544-1545
Signed 1520

377—To prohibit dances in the public high and grade schools or under the auspices of such schools or any organization or society thereof.
Received 1514
Referred 1550
Reported 1869
Lost in passage.....2158

378—Relating to elections and to permit any qualified elector to cast his ballot in any precinct within the state at general elections, under certain conditions and restrictions.
Received 1705
Referred 1719
Returned and referred.....1912

379—To repeal the law as it appears in section forty-two (42), acts of the Thirty-third General Assembly and to enact a substitute therefor providing for the selection of an official newspaper in cities and towns,

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and for the publication of the proceedings of city and town councils and providing compensation therefor.
Received 1515
Referred 1550
Returned and referred.....1913

380—To fix and declare the liability of persons, firms or private corporations, entering into contracts with the state of Iowa, or with any county, city, town, city organized under special charter, school corporation or with any municipal corporation now existing or hereafter created and to provide for immunity to witnesses in proceedings to establish such liability, and to fix and declare the measure of damages for violation of this act.
Received 1067
Referred 1076
Reported 1290-1291
Passed 1554
Motion to reconsider.....1572
Reconsidered and passed....2064
Motion to reconsider.....2064
Objection to motion.....2142
Senate requests return.....2183
Reconsidered 2183
House returned 2322
Motion to reconsider.....2324
Amended 2336
Passed 2337
House concurs 2438
Enrolled 2484
Signed 2485

381—To establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa State College of Agriculture and Mechanic Arts, under the supervision of the president of said college, to abandon the institution for manufacturing of hog cholera serum now being operated by the state of Iowa, to regulate the sale of hog cholera serum, to provide penalties for the violation of said regulations, and to make an appropriation therefor, and for the repeal of chapter one hundred fifty-one (151) acts of the Thirty-third General Assembly and chapter one hundred fourteen (114) acts of the Thirty-fourth General Assembly.
Received 1069
Referred 1077
Returned and referred.....2088

384—To amend the law as it appears in section six hundred thirty-nine (639) of the code, relating to the classes of cities and towns.

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Received 630
Referred 635
Reported 778
Passed 834
Enrolled 915
Signed 987

385—To legalize an ordinance of the incorporated town of Sheldahl, Iowa, granting a franchise to Boone Electric Company, to erect, maintain and operate an electric power plant in said town.
Received 1071
Referred 1079
Reported with amendments.. 1196
Amendments adopted 1234
Passed 1235
House concurs in senate amendments 1326
Enrolled 1454
Signed 1484

391—To amend the law as it appears in section two hundred and twenty-seven (227) of the supplement to the code, 1907, relative to judicial districts and the number of judges therein and to provide for three judges in the tenth judicial district.
Received 1340
Referred 1361
Reported 1545
Passed 1790
Enrolled 1909
Signed 1902

404—To amend section eight hundred and sixteen (816) of the code, relating to lien of tax.
Received 1797
Referred 1805
Returned and referred.....1911
Sifting committee returns...2469
Passed 2469
Enrolled 2520
Signed 2540

406—To amend section nine (9), chapter one hundred fifty-four (154), acts of the Thirty-third General Assembly relative to hunter's license.
Received 1801
Referred 1807
Returned and referred.....1911

407—Repealing section one hundred seventy-d (170-d) of the supplement to the code, 1907, and to enact a substitute in lieu thereof requiring all boards, commissions, departments and officers of state to turn into the state treasury all fees collected.
Received 2476
Read first and second time 2482-2483
Amended 2486-2487

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Passed 2486-2487
House concurs 2527
Enrolled 2552
Signed 2546

408—To legalize certain conveyances and other instruments of writing affecting real estate.
Received 1071
Referred 1079
Reported 1189
Passed 1227
Enrolled 1455
Signed 1484

411—To amend section thirty-five hundred five (3505) of the code, 1897, as amended by the acts of the Thirty-third General Assembly, in relation to change of place of trial when a county is a party.
Received 1576
Referred 1601

412—To amend sections nine (9) and thirteen (13) of chapter one hundred eighteen (118) of the acts of the Thirty-third General Assembly in relation to actions involving drainage districts.
Received 1622
Referred 1630
Returned and referred.....2030
Sifting committee returns...2490
Passed 2491
Enrolled 2554
Signed 2546

413—To amend the law as it appears in section twenty-eight hundred six (2806), supplement to the code, 1907, and chapter one hundred eighty-two (182), of the acts of the Thirty-third General Assembly relating to school taxes and to increase the amount that may be levied in the teachers' fund and the contingent fund.
Received 1283
Referred 1287
Returned and referred.....1913
Returned 2298
Passed 2298
Enrolled 2446
Signed .....

416—To prohibit the extension or renewal of contracts now existing between the board of control and certain firms, associations or corporations for the services of prisoners confined at Anamosa and Fort Madison, to prohibit any further or additional contracts for the services of said prisoners, to provide the kind and character of employment for said prisoners, and the

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disposition and sale of articles manufactured at any penal institution of this state.
Received 912
Referred 924
Report substitute 1199
Considered 1503
Substitute adopted 1503
Indefinitely postponed 1504

417—Amending chapter 157 of the acts of the Thirty-fourth General Assembly relative to legalizing certain conveyances by foreign administrators and executors; regulating the proof of *titles to real property and* legalizing certain instruments and proceedings as against defects arising prior to 1900 and as to defects prior to 1895; legalizing certain proceedings and instruments when of record ten years and regulating proof of title as affected by such defects; legalizing certain instruments executed by executors, administrators, trustees, guardians, referees and commissioners prior to 1893; giving certain assignments the same force and effect as a deed of conveyance; providing that persons in possession or pending litigation shall not be affected by the provisions of this act and giving claimants one year in which to commence actions and barring their rights thereafter.
Received 1028
Referred 1033
Reported with amendments..1854
Amended and passed...2038-2039
House concurs 2093
Enrolled 2213
Signed 2198

418—To repeal section ten (10) of chapter twenty-six (26), acts of the Thirty-third (33d) General Assembly, and to enact a substitute therefor, relating to the maintenance of county hospitals.
Received 1422
Referred 1423
Senate requests committee to return 1733
Committee returns 1733
Passed 1734
Enrolled 1839
Signed 1902

424—To amend section two thousand seventeen (2017) of the code, relating to the right of railway companies to raise or lower highways where they are crossed by a railway, and giving the board of railroad commissioners authority to order under-grade or overhead crossings.
Received 1436
Referred 1455
Reported with amendments..1574
Amendments adopted 1589
Amended 1589
Passed 1590
House concurs in senate amendments 1709
Enrolled 1727
Signed 1776

425—To amend section four thousand six hundred-a (4600-a) of the supplement to the code, 1907, as amended *by chapter two hundred* eight (208) of the acts of the Thirty-third General Assembly, relative to fees of justices of the peace and constables and the time of payment of same.
Received 1248
Referred 1256
Reported unfavorably 1850
Indefinitely postponed 1850

431—To repeal section eight hundred fifty-c (850-c) of the supplement to the code, 1907, as amended by chapter fifty-seven (57) of the acts of the Thirty-third General Assembly, and Chapter 44, acts of the Thirty-fourth General Assembly, relating to the tax levy for park purposes, and to enact a substitute therefor.
Received 1706
Referred 1718
Returned and referred.....1913
Sifting committee returns...2356
Passed 2356-2357
Enrolled 2447
Signed 2452

438—To amend section 2792 of the code, relating to the restoration of territory to the school district from which it has been taken.
Received 1285
Referred 1288
Reported and referred.....1406
Reported 1847
Lost 2147

439—To authorize the appointment of special agents to aid in the detection, identification, capture and conviction of criminals, delinquents and defectives, and to require the co-operation and assistance of all sheriffs, police and peace officers and all other officers charged with the care, supervision and jurisdiction over criminals, delinquents or defectives.
Received 1142
Referred 1144
Reported unfavorably 1298

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Indefinitely postponed 1587
Senate requests return.....1721
House returns 1801

440—To amend the law as it appears in section three thousand four hundred and forty-seven (3447) of the code and to fix the time within which certain actions for the recovery of real estate may be brought.
Received 1067
Referred 1076
Reported 1533
Passed 1741
Enrolled 1839
Signed 1902

441—To regulate the sale of calcium carbide or so-called carbide and prescribe the manner in which the same shall be packed and labeled.
Received 1576
Referred 1601
Returned and referred.....1913
Returned 2429
Passed 2430
Motion to reconsider.....2477
House returns 2510
Enrolled 2554
Signed 2546

443—To amend section twenty-one hundred and forty-five (2145) of the code, title ten (10), chapter seven (7), as amended by chapter ninety-five (95), acts of the Thirty-fourth (34) General Assembly, relating to railroad rates between competing points.
Received 2058
Referred 2062

445—To authorize and direct the governor to issue a quit claim deed from the state of Iowa to Anna L. Edgar, covering the west one-half (w½) of the southwest quarter (sw¼) of section two (2), township eighty-nine (89) north, range thirty-four (34), west 5th P. M., Iowa.
Received 1072
Referred 1079
Reported 1530
Enacting clause stricken out..1786

446—Enabling the board of directors of the independent school district of Tama, Iowa, to compensate a member for services as superintendent of schools.
Received and referred....720-724
Reported 873
Passed 911
Enrolled 1084
Signed 1110

451—To amend the law as it appears in section thirteen hundred and four (1304), of the supplement to the code, 1907, as amended by chapter 81 of the acts of the Thirty-third General Assembly and chapter 61 of the acts of the Thirty-fourth General Assembly, relating to exemptions of different classes of property.
Received 1797
Referred 1805
Returned and referred.....1911
Sifting committee returns...2463
Passed 2463-2464
Enrolled 2520
Signed 2540

453—Appropriating a certain sum of money to Bertha G. Myers, widow of Elmer Myers, deceased, an itinerant vender of drugs, the said amount so appropriated being the unearned license fee paid by said Elmer Myers.
Reeeived 1028
Referred 1033

456—Authorizing cities and towns including those acting under special charter and cities under the commission form of government to adopt a building code and to provide penalties for violation thereof.
Received 720
Referred 725
Reported and referred....865-866
Reported with amendments..1321
Amendments adopted 1560
Passed 1561
House concurs in senate amendments 1709
Enrolled 1727
Signed 1776

457—To amend section four thousand six hundred and sixty-one (4661) of the code, relating to witness fees.
Received 1623
Referred 1630
Reported unfavorably 1841
Indefinitely postponed 1841

458—To promote patriotism and to provide for the display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state.
Received 1707
Referred 1719
Returned and referred.....1911
Returned to senate.....2064
Amended and passed.....2072
House concurs 2196
Enrolled 2346
Signed 2362

460—Submitting the creation of the county of Larrabee to the legal voters of the county of Kossuth, Iowa.

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Received 1514
Referred 1550
Reported 1850
Passed 2141
Enrolled 2382
Signed 2410

461—To amend the law relating to the destruction of weeds as it appears in sections three (3) and four (4) of chapter ninety-six (96) of the acts of the Thirty-third General Assembly.
Received 1473
Referred 1500
Returned and referred.....1913
Sifting committee returns...2309
Amended and passed...2310-2311
House concurs 2439
Enrolled 2484
Signed 2485

462—To amend the law as it appears in section nine hundred fifteen (915) of the supplement to the code, 1907, relative to the attaching and recording of the abstract of title to platted premises.
Received 2454
Referred 2455

464—To repeal sections seven hundred twenty-nine-a (729-a), five hundred ninety-two-a (592-a) and seven hundred forty-one-n (741-n), supplement to the code, 1907, and to enact substitutes therefor; to amend sections four hundred twenty-two (422) supplement to the code, 1907, and section twenty-eight hundred six (2806) of the code; all relating to the benefits of free public libraries and to confer additional powers upon boards of library trustees, township trustees, boards of county supervisors, boards of school directors, and city and town councils, in relation thereto.
Received 1357
Referred 1362
Reported 1614
Passed 2022
Enrolled 2150
Signed 2198

466—To repeal section four thousand eight hundred ninety-seven-a (4897-a) of the supplement to the code, 1907, and to enact a substitute relating to escapes from the penitentiary and reformatory, including violations of parole.
Received 1706
Referred 1718
Reported with amendments..1795
Amended and passed.....2126

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Enrolled 2328
Signed 2355

471—To amend chapter one hundred two (102) of the acts of the Thirty-fourth General Assembly, relating to the penalty for the violation of the laws relating to the sale or keeping for sale of intoxicating liquors.
Received 1621
Referred 1629
Returned and referred.....1912

474—To amend section six hundred and ninety-four-a (694-a) of the supplement to the code, 1907, relating to membership fees and dues in League of Iowa Municipalities.
Received 1576
Referred 1601
Reported unfavorably 1861
Amended 2145
Passed 2146
House concurs 2196
Enrolled 2346
Signed 2362

476—To amend section one (1) of chapter forty-three (43) acts of the Thirty-fourth General Assembly relating to street improvements in towns, and to the levy of special taxes therefor.
Received 1978
Referred 1981
Sifting committee returns...2467
Passed 2463
Enrolled 2520
Signed 2540

481—To amend the law as it appears in section twenty-three hundred fifty-eight (2358) of the code, relating to partition fences.
Received 1621
Referred 1629
Returned and referred.....1913
Returned 2427
Passed 2427-2428
Enrolled 2518
Signed 2510

484—To amend section two thousand one hundred and sixteen (2116) of the supplement to the code, 1907, as amended by Chapter 128, acts of the Thirty-third General Assembly, and to define what is reasonable passenger service on certain lines of railroads.
Received 1489
Referred 1501
Reported 1865
Passed 2081-2082
Enrolled 2213
Signed 2198

488—To repeal section four hundred seventy-five (475) of

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the code and enact a substitute therefor relating to the criminal statistics to be kept by the county auditor, and the reporting of same by the county auditor to the clerk of the district court.
Received 1071
Referred 1079
Reported 1188
Passed 1226
Enrolled 1454
Signed 1484

489—To repeal section two hundred ninety-three (293) of the code and all amendments thereto and an act to substitute therefor relating to the keeping of criminal statistics by the clerk of the district court and the reporting of same to the board of parole.
Received 1705
Referred 1717
Returned and referred.....2030
Sifting committee returns...2364
Passed 2364-2365
Enrolled 2458
Signed 2466

490—To regulate the passing of automobiles or other vehicles by another traveling in the same direction.
Received 1624
Referred 1631
Reported 1841
Passed 2135-2136
Enrolled 2213
Signed 2198

491—Relating to notaries public who are stockholders, directors, officers or employes of banks or other corporations.
Received 1360
Referred 1364
Returned and referred.....1911

492—To amend section six (6) of chapter one hundred sixty-eight (168) of the acts of the Thirty-third General Assembly relating to hotels, inns and lodging houses.
Received 1249
Referred 1256
Returned and referred.....1913

493—To provide against fraudulent advertising and providing a penalty thereto.
Received 1515
Referred 1550
Reported 1619
Amended 2024
Lost on passage.....2024-2025
Motion to reconsider.....2059
Reconsidered 2210
Passed 2210
House concurs 2365
Enrolled 2385
Signed 2410

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498—Authorizing and directing the governor and secretary of state to execute a quit claim deed conveying to J. B. Keeler all of the right, title and interest of the state of Iowa in or to lots four (4), five (5) and six (6) of section thirteen (13), township ninety-nine (99), north, range twenty-three (23), west of the Fifth P. M.
Received 1393-1394
Referred 1399
Reported 1530
Passed 1737-1738
Enrolled 1840
Signed 1902

500—To repeal the law as it appears in chapter two hundred twenty (220), acts of the Thirty-third General Assembly, and to amend the law as it appears in section forty-nine hundred ninety-nine-a-nine (4999-a-9), supplement to the code, 1907, relating to protection against fire and providing means of escape.
Received 1359
Referred 1363
Reported unfavorably 1603
Indefinitely postponed 1604

502—To amend section twenty-one hundred and fifty-seven-f (2157-f) of the supplement to the code, 1907, relating to free franks and transportation.
Received 1799
Referred 1806
Returned and referred.....1912

505—To amend section two thousand five hundred forty (2540), supplement to the code, 1907, and chapter one hundred fifty-three (153), acts of the Thirty-third General Assembly, relating to season during which fish may be taken.
Received 1994
Referred 2000
Sifting committee returns...2330
Passed 2331
Enrolled 2446
Signed .....

506—To amend section one thousand nine hundred eighty-nine-a-thirteen (1989-a-13) of the supplement to the code, 1907, as amended by chapter one hundred eighteen (118) of the acts of the Thirty-third General Assembly, relating to the use of drainage warrants in the payment of drainage assessments.
Received 1800
Referred 1807
Returned and referred.....1911

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Returned 2086
Amended and passed...2117-2118
House concurs 2196
Enrolled 2345
Signed 2362

509—To repeal section one (1) of chapter forty-nine (49) of the acts of the Thirty-fourth General Assembly relating to the improvement of water fronts in cities acting under special charter and enacting a substitute therefor relating to the levee improvement commission in such cities, conferring additional powers upon said cities, and to enact a substitute in lieu thereof. (Additional to chapter fourteen (14) of title five (V) of the code relating to cities under special charter.)
Received 1072
Referred 1080
Reported 1245
Amended 1465
Title amended 1466
Passed 1466
House concurs 1627
Enrolled 1728
Signed 1776

511—To amend chapter eighty-one (81) of the acts of the Thirty-third (33d) General Assembly, relative to classes of property exempt from assessment for taxation.
Received 1798
Referred 1805
Returned and referred 1912

513—To prohibit the importation of diseased bees.
Received 1248
Referred 1256
Reported 1425
Passed 1634
Enrolled 1840
Signed 1902

514—To amend the law as it appears in chapter one hundred forty-six (146) of the acts of the Thirty-fourth General Assembly, relating to the payment of tuition of pupils attending high schools located in other districts
Received 1977
Referred 1981
Returned 2379
Substituted 2379
Passed 2380
House concurs 2438
Enrolled 2484
Signed 2485

515—To amend section thirteen hundred four (1304) of the supplement to the code, 1907, as amended by chapter sixty-one (61) of the acts of the Thirty-fourth General Assembly relating to the exemption of certain classes of property from taxation.
Received 1707
Referred 1719
Returned and referred.....1912
Sifting commitee returns....2470
Passed 2470
Enrolled 2520
Signed 2540

517—To authorize the governor to direct the attorney general to appear in certain cases, for and on behalf of the counties, cities, towns, and other municipalities and officers and contractors thereof, and to employ additional legal assistance in such cases and providing for payment therefor.
Received 1068
Referred 1077
Reported 1297
Referred 1297
Reported 1771
Passed 2051-2052
Enrolled 2214
Signed 2198

518—Providing for the entry of an order by the district court requiring a person in this state to attend and give testimony in a criminal action pending in another state after a petition has been filed in the office of the clerk of said court, and the person given an opportunity to be heard in opposition thereto, and providing punishment for failing to do so.
Received 1800
Referred 1807
Returned and referred 1911
Sifting committee returns...2359
Passed 2359-2360
Enrolled 2447
Signed 2452

519—To amend section one hundred eighty-one (181) of the code relating to joint committee on retrenchment and reform.
Received 1515
Referred 1550
Report substitute 1794
Amended and passed 2040
House concurs 2165
Enrolled 2214
Signed 2198

521—To legalize conveyances by counties recorded prior to January 1, 1900, where the seal of the county was not affixed to the instrument of conveyance.
Received 1977
Referred 1981

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524—To authorize and empower the governor of the state of Iowa, to issue a land patent, attested by secretary of state, to Albert Husa, conveying certain real estate located in Johnson county, Iowa, more particularly described as lot seven (7), block fifty-five (55), Iowa City, Iowa.
Received 1395
Referred 1400
Returned and referred.....2030
Sifting committee returns....2339
Passed 2339
Enrolled 2447
Signed 2452

525—To authorize and direct the board of supervisors of Johnson county, Iowa, to issue a quit claim deed to John Vesely, conveying certain real estate located in Johnson county, Iowa, and described more particularly as lot six (6), block nine (9), county seat of Johnson county, Iowa.
Received 1072
Referred 1080
Reported 1195-1196
Passed 1234
Enrolled 1454
Signed 1484

526—To amend section four thousand six hundred and twenty-three (4623) of the code of 1897 relating to books of account as evidence.
Received 1473
Referred 1500
Returned and referred.....2030
Sifting commitee returns....2474
Passed 2474
Enrolled 2520
Signed 2540

527—Repealing section four thousand and fifteen (4015) of the code in relation to exemptions from execution and to enact a substitute therefor.
Received 1621
Referred 1629
Returned and referred 2030

528—To amend the law as it appears in section two (2) of chapter seventy (70), acts of the Thirty-fourth (34) General Assembly, relating to the dragging of public roads.
Received 1706
Referred 1718
Returned and referred.....1912
Returned 2299
Lost on passage 2299
Enrolled 2446
Signed .....

529—To amend section four thousand six hundred six (4606) of the supplement to the code, 1907, relative to husband and wife as witnesses.
Received 1762
Referred 1768
Reported unfavorably 1856
Indefinitely postponed 1856

530—To repeal the law as it appears in chapter two (2), section thirteen (13) of the code and to enact a substitute therefor, relating to the compensation of officers and employes of the general assembly.
Received 1881
Referred 1886

534—To repeal section two of chapter one hundred thirteen (113), laws of the Thirty-fourth General Assembly and section twenty-five hundred and twenty-two (2522), supplement to the code, 1907, and enact substitutes therefor, providing for the appointment of dairy and food commissioner and assistants and fixing salaries of said officers; also providing for the making of reports to the state dairy commissioner, maintaining of certain establishments in a hygienic condition, proper cleaning of utensils, and containers and providing penalties for violation thereof, regulating the sale of renovated butter or process butter; and amending section twenty-five hundred and twenty-four (2524) of the code, relating to compensation of milk agents.
Received 2411
Referred 2432

535—To prevent fraud in the manufacture and sale of commercial fertilizers, providing for licensing of such products and making provision for enforcement.
Received 1977
Referred 1981
Sifting committee returns....2470
Passed 2470
Enrolled 2529
Signed 2540

537—To amend chapter two hundred twenty-seven (227) of the acts of the Thirty-third General Assembly, amendatory of section five thousand two hundred eighty-nine (5289) of the code, relating to the sufficiency of indictments and the waiver of objections thereto.
Received 1421
Referred 1423
Reported unfavorably 1855
Indefinitely postponed 1855

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543—To fix the liability of common carriers.
Received 1798
Referred 1806
Returned and referred 1912

545—To amend the law as it appears in chapter sixty-eight (68), acts of the Thirty-fourth General Assembly, relating to the assessment and collection of a tax on collateral inheritance of estates, annuities, legacies, bequests, gifts and transfers; repealing certain sections thereof and providing substitutes therefor; making the provisions of said chapter applicable to direct inheritance of estates, annuities, bequests, gifts and transfers; subjecting the same to taxes, providing the rate of all such taxes, and making exceptions therefrom.
Received 1623
Referred 1631
Returned and referred.....1912
Returned to senate 2375
Enacting clause stricken.....2375

546—To provide for the terms of court in the fourth and twenty-first judicial districts.
Received 1027
Considered 1032
Passed 1033
Enrolled 1084
Signed 1110

547—To amend the law as it appears in section twenty-five hundred ninety-four (2594) of the code relating to licensing itinerant vendors of drugs.
Received 1707
Referred 1719
Returned and referred.....1912
Sifting committee returns....2324
Passed 2325
Enrolled 2447
Signed 2452

548—To amend section one (1), chapter one hundred eighty-four (184) of the acts of the Thirty-third General Assembly as amended by section one (1) of chapter one hundred forty-five (145) of the acts of the Thirty-fourth General Assembly, and to amend section two (2) of chapter one hundred eighty-four (184) of the acts of the Thirty-third General Assembly as amended by section two (2) of chapter one hundred forty-five (145) of the acts of the Thirty-fourth General Assembly relative to the limit of indebtedness of independent school districts.
Received 1472
Referred 1499
Returned and referred 1975
Sifting committee returns....2363
Passed 2363-2364
Enrolled 2457
Signed 2466

549—Appropriating a certain sum of money to A. S. Perryman, the said amount being the unearned license fee paid by said A. S. Perryman.
Received 1762
Referred 1768
Reported unfavorably 1910
Indefinitely postponed 1911

552—Authorizing and empowering the joint committee on Retrenchment and Reform to employ expert accountants and efficiency engineers, to institute reform and making an appropriation therefor.
Received 759
Referred 767
Reported 804
Passed 830
Enrolled 915
Signed 987

553—To repeal section three thousand five hundred thirty-eight (3538) of the code, relative to the bringing of actions against unknown defendants, and to enact a substitute therefor.
Received 1623
Referred 1630
Returned and referred.....2030
Returned to senate 2375
Passed 2376
Enrolled 2447
Signed 2452

554—To amend the law as it appears in section six hundred sixty-nine (669) of the supplement to the code, 1907, relating to the compensation of councilmen when acting as members of the board of review.
Received 1704
Referred 1717
Reported 1860
Passed 2076
Enrolled 2329
Signed 2355

564—Making provisions for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines river improvement grant as school lands.
Received 1799
Referred 1806
Returned and referred.....1911
Reported and referred.....2059
Reported with amendments...2199
Amendments adopted 2218
Passed 2219
House concurs 2320
Enrolled 2383
Signed 2410

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574—To repeal section five hundred forty-nine (549) of the code and to enact a substitute therefor, relating to the publication of notices.
Received 1994
Referred 1999
Returned 2397
Passed 2397
Enrolled 2458
Signed 2466

575—To provide for the restoration of lost or destroyed public records.
Received 1068
Referred 1076
Reported 1197
Passed 1218
Enrolled 1455
Signed 1484

578—House File No. 578, a bill for an act to amend section three thousand seven hundred four (3704) of the code, relating to the arguments of attorneys in cases on trial in the district court.
Received 1978
Referred 1982

583—To amend the law as it appears in section thirty-three hundred forty-eight (3348) of the code, relating to the payment of claims against the estates of decedents.
Received 1705
Referred 1717
Returned and referred 2030
Passed 2299
Enrolled 2384
Signed 2410

588—To amend section twenty-five hundred forty (2540) of the supplement to the code, 1907, as amended by chapter one hundred fifty-three of the acts of the Thirty-third General Assembly, relating to taking of fish by the use of spear, except during certain months.
Received 1924
Referred 1972
Sifting committee returns....2300
Passed 2300
Enrolled 2383
Signed 2410

591—Specifying qualifications for county attorneys additional to chapter nine (9), title three (3) of the code.
Received 1624
Referred 1631
Reported 1852
Passed 2143-2144
Enrolled 2345
Signed 2361

592—To repeal the law as it appears in section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1907, and to enact a substitute therefor in regard to bringing into certain state institutions, and other places where inmates may lawfully be, drugs or liquors, or weapons, explosives, or other article for use in making or attempting an escape.
Received 1708
Referred 1720
Reported 1835
Passed 2134
Enrolled 2328
Signed 2355

595—To repeal section three thousand ninety-three (3093) of the code, and to enact a substitute therefor, relating to subcontractors' mechanic's liens and the liability of the owner of a building or structure to the principal contractor and the subcontractor.
Received 1622
Referred 1630
Reported 1854
Passed 2144
Enrolled 2383
Signed 2410

600—For the relief of the cyclone and flood sufferers of Iowa, Nebraska, Ohio and Indiana, and making an appropriation of ten thousand dollars ($10,000.00) therefor.
Received 1395
Referred 1400

606—To amend section eight hundred ninety-four (894), of the supplement to the code, 1907, relative to the levy of taxes in cities under the commission form of government.
Received 1472
Referred 1500
Reported unfavorably 1860
Indefinitely postponed 1860

608—To amend the law as it appears in sections eight hundred seventy-nine-d (879-d) and eight hundred seventy-nine-g (879-g), supplement to the code, 1907, and to repeal section eight hundred seventy-nine-o (879-o), supplement to the code, 1907, relative to the powers and duties of river front improvement commissions.
Received 1797
Referred 1804
Returned and referred 1911
Returned 2426
Passed 2427
Enrolled 2518
Signed 2510

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610—To repeal sections two thousand one hundred and fifty-seven-l (2157-l), two thousand one hundred and fifty-seven-m (2157-m), two thousand one hundred and fifty-seven-n (2157-n), of the supplement to the code, 1907, 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, and enact a substitute therefor.
Received 2286
Referred 2295

611—Authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employes, providing the powers, duties and compensation of such board and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making appropriation therefor.
Received 1799
Referred 1806
Returned and referred.....1911
Sifting committee returns....2318
Amended and passed.....2319
House concurs 2366
Enrolled 2446
Signed 2452

613—To amend section four thousand eight hundred fifty-two-d (4852-d) supplement to the code, 1907, relating to larceny of poultry.
Received 1624
Referred 1631
Reported 1844
Passed 2154-2155
Enrolled 2345
Signed 2361

616—To amend the laws pertaining to the misbranding and adulteration of food products and providing apropriation for expense of dairy and food department.
Received 2435
Referred 2440

618—To amend the law as it appears in section eighteen hundred seventy-five (1875), chapter one hundred fifteen (115), of the laws of the Thirty-third (33d) General Assembly, relative to the appointment and the number of bank examiners.
Received 2066
Referred 2087

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619—To amend section five (5), chapter sixty-nine (69), of the acts of the Thirty-third General Assembly, relating to the publication of the primary ballot.
Received 1995
Referred 2000

622—To regulate the levy and collection of special assessments in cities and towns and cities acting under special charter and cities under commission plan of government (amendatory to chapter seven (7), title five (5) of the code.)
Received 1995
Referred 2000
Rereferred 2492

627—To require railroads to stop passenger trains at stations maintained by them when signalled so to do.
Received 1995
Referred 2000

633—To amend section twenty-four (24) chapter sixty-eight (68) of the acts of the Thirty-fourth General Assembly, relating to the payment of collateral inheritance tax.
Received 1620
Referred 1628
Reported 1835
Passed 2127
Enrolled 2213
Signed 2198

639—To amend the law as it appears in chapter two (2) as amended by chapter two-a (2-a) of title ten (X) of the supplement to the code, 1907, relative to the disbursement of surplus drainage funds.
Received 1516
Referred 1551
Reported 1793
Amended and passed...2128-2129
House refuses to concur.....2321
Senate appoints conference committee 2322
House appoints conference committee 2493

641—To repeal the law as it appears in chapter one hundred twenty-nine (129) of the acts of the Thirty-fourth General Assembly, and to enact a substitute therefor relating to the prevention of the procreation of criminals, rapists, idiots, feeble-minded, imbeciles, lunatics, drunkards, drug fiends, epileptics, syphilitics, moral and sexual perverts, and diseased and degenerate persons.
Received 2434
Referred 2440
Sifting committee returns....2473

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Passed 2473
Enrolled 2554
Signed 2546

646—Granting to cities of all classes and towns power to license and regulate plumbers; to determine the qualifications and provide for the examination thereof; to prescribe rules and regulations for the installation of plumbing and the inspection thereof and to provide for the removal of plumbing installed in violation of the manner prescribed and to impose penalties for a violation of ordinances enacted under this act to amend section seven hundred (700) of the supplement to the code, 1907.
Received 1358
Referred 1362
Reported 1863
Passed 2082-2083
Enrolled 2212
Signed 2198

647—For the relief of M. O. Clemens for personal injuries sustained by him while employed as engineer in the state sanatorium for the treatment of tuberculosis at Oakdale, Iowa.
Received 1070
Referred 1078
Report substitute 1254
Referred 1255
Reported unfavorably 1613
Indefinitely postponed 1613
Senate requests return 1712
House returns 1801
Motion to reconsider 1832
Referred 1832
Reported unfavorably 2431
Special order 2432
Report rejected 2450
Amended 2450
Passed 2450
House concurs 2476
Enrolled 2520
Signed 2540

650—To amend the law as it appears in section twenty-five hundred eighty-three-c (2583-c), supplement to the code, 1907, relating to the practice of osteopathy.
Received 1620
Referred 1629
Returned and referred.....2029
Sifting committee returns....2337
Passed 2337-2338
Enrolled 2447
Signed 2452

651—To amend the law as it appears in section twenty-five hundred seventy-six (2576) and twenty-five hundred seventy-eight-a (2578-a), supplement to the code, 1907, relating to the practice of medicine.

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Received 1620
Referred 1629
Returned and referred 2029
Sifting committee returns....2334
Passed 2335
Enrolled 2384
Signed 2410

652—To legalize the acts of the electors of the city of Osceola, Iowa, in voting for the issuance of bonds in aid of improvement and extension of the city water works.
Received 1283
Referred 1287
Reported with amendments...1539
Amendments adopted 1786
Passed 1787
House concurs in senate amendments 1884
Enrolled 1728
Signed 1902

653—To repeal section three (3) of chapter one hundred eighteen (118) of the acts of the Thirty-fourth General Assembly, providing for the distraint of deer, and to enact a substitute therefor.
Received 1359
Referred 1363
Reported 1405
Passed 1598
Enrolled 1728
Signed 1776

657—To legalize decrees obtained prior to January 1, 1911, where the proof of the publication of an original notice was made by the editor of the newspaper in which the original notice was published.
Received 1761
Referred 1767
Reported 1842
Passed 2034
Enrolled 2214
Signed 2198

658—To legalize the platting of an addition to the town of Kensett, Iowa, executed by Mrs. Margaret Lukason, deceased, dated March 21, 1898, and filed for record in the office of the recorder of Worth county, Iowa, April 9, 1898.
Received 1704
Referred 1717
Reported 1856
Passed 1876-1877
Enrolled 1968
Signed 1968

659—To prohibit municipal corporations from entering into any contract for the construction of highway pavements consisting in whole or in part of any patented process.

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Received 1704
Referred 1717
Returned and referred.....1911

661—To provide for the establishment of a teachers employment bureau in the department of public instruction.
Received 1761
Referred 1767
Returned and referred.....1975

663—To permit cities and towns to own and operate theaters, and to provide for the levying and collection of a special tax for the purchase, construction, equipment and maintenance of same.
Received 1994
Referred 2000

666—To amend section twenty-seven hundred sixty-one (2761) of the code, relating to the duties of secretaries of school boards.
Received 1703
Referred 1870
Passed 2159-2160
Enrolled 2345
Signed 2362

667—To amend section one (1) of chapter one hundred forty-five (145), acts of the Thirty-fourth (34th) General Assembly, relative to the limit of indebtedness of independent school districts.
Received 1704
Referred 1717
Returned and referred.....1975
Sifting committe returns.....2358
Passed 2358-2359
Enrolled 2447
Signed 2452

668—To amend division one (1), section seventeen hundred nine (1709), supplement to the code, 1907, as amended by chapter eighteen (18), acts of the Thirty-fourth (34th) General Assembly, relating to kinds of insurance that may be written.
Received 1978
Referred 1982
Sifting committee returns....2315
Passed 2316
Enrolled 2384
Signed 2410

669—To provide for the levy of a special tax upon the assessed valuation of the taxable property of the state for a period of ten years for the purchase of real estate for the extension and for the improvement of the state capitol grounds, to define the limits of said extension, to authorize the purchase by executive council of all grounds within said limits, to adopt a plan for the location of buildings, monuments, etc., on said extended ground, and to provide for the sale of certain real estate known as "Governor Square."
Received 1816
Considered 1874
Passed 1875
Motion to reconsider and to lay said motion on table..1876
Enrolled 1968
Signed 1968

670—To repeal section twenty-six hundred six (2606) of the supplement to the code, 1907, and to enact a substitute therefor, relating to admission to soldiers' home.
Received 1880
Referred 1886
Sifting committee returns....2304
Passed 2304-2305
Enrolled 2383
Signed 2410

671—To authorize the construction of a business men's coliseum and convention hall over the Cedar river in the city of Waterloo, Iowa.
Received 1800
Referred 1806
Returned and referred 1911
Sifting committee returns....2305
Passed 2305
Enrolled 2447
Signed 2452

673—To prohibit public officers or deputies from divulging any part of the contents of sealed bids and to fix and declare the liquidated damages inuring in favor of municipal corporations by reason of the violation of such prohibition.
Received 1703
Referred 1716
Reported with amendments..1862
Amended and passed....2084-2085
House concurs 2121
Enrolled 2344
Signed 2362

675—To amend the law relating to the levy of taxes for the support of cemeteries as the same appears in chapter thirty-eight (38) of the acts of the Thirty-third General Assembly, amendatory of sections five hundred eighty-six (586) and eight hundred ninety-four (894), supplement to the code, 1907.
Received 1978
Referred 1981
Returned 2426
Passed 2426
Enrolled 2521
Signed 2540

677—To legalize the regular city election of the city of Winterset, Iowa, held on the

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31st day of March, A. D. 1913, and to legalize a certain franchise, and the ratification thereof by the voters at such election granted by the said city of Winterset to the Winterset Mutual Telephone Company.
Received 1800
Referred 1807
Returned and referred.....1911
Returned 2422
Passed 2422
Enrolled 2521
Signed 2540

678—To amend section five thousand seventy-seven-a-21 (5077-a-21) of the supplement to the code, 1907, fixing the standard of purity and viability of seeds.
Received 2461
Referred 2477

682—To amend section thirty-one hundred thirty-eight (3138) of the supplement to the code, 1907, as amended by chapter one hundred ninety-five (195) of the acts of the Thirty-third General Assembly, relating to the care of property belonging to guests of hotels and inns and to the lien of hotel and innkeepers thereon.
Received 1977
Referred 1981
Returned 2396
Passed 2397
Enrolled 2458
Signed 2466

684—To amend section four hundred ninety-one (491) of the code, relative to deputy and clerk hire in the office of treasurer in counties containing a population of less than ten thousand.
Received 2066
Referred 2087
Returned 2419
Amended 2420
Passed 2420
House concurs 2437
Enrolled 2521
Signed 2540

685—To amend the law relating to fire escapes as the same appears in section forty-nine hundred ninety-nine-a-seven (4999-a-7), supplement to the code, 1907.
Received 2275
Referred 2280
Returned 2429
Passed 2430
Enrolled 2521
Signed 2540

687—To repeal sections 2823-j, 2823-k, 2823-l and 2823-m, supplement to the code, 1907, and enact a substitute therefor.

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Received 2191
Referred 2281
Sifting committee returns...2355
Title amended 2356
Passed 2355-2356
House concurs 2438
Enrolled 2459
Signed 2466

691—Providing that on and after July 1, 1913, all annual appropriations made to the state university, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College and the College for the Blind shall be paid in monthly installments.
Received 2286
Referred 2295
Sifting committee returns..2471-2
Passed 2472
Enrolled 2520
Signed 2540

692—To amend the law relating to the construction of street improvements, sewers, etc., as the same appears in section eight hundred twelve (812) of the code.
Received 2286
Referred 2295

693—To confirm the title of Jacob Arnold to the south half of the southwest quarter of section No. 20, township No. 85, north, range No. 30, west 5th., P. M., Greene county, Iowa, and authorizing the issuance of a patent therefor.
Received 2367
Referred 2374
Sifting committee returns....2462
Passed 2462-2463
Enrolled 2554
Signed 2546

694—To legalize the incorporation of the town of Lattners, Dubuque county, Iowa.
Received 2369
Referred 2374
Returned 2431
Passed 2431
Enrolled 2521
Signed 2540

695—To create in each township a special culvert fund for the year of 1913, to defray the cost of culverts constructed by the board of supervisors during 1913 upon the township road system.
Received 2442
Passed on file.....2443
Passed 2444
Enrolled 2521
Signed 2540

697—To amend section twenty-one hundred twenty-one (2121) of the supplement to the code, 1907, relative to the

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salaries of the members of the board of railroad commissioners.
Received 2508
Referred 2511

698—To amend the law as the same appears in chapter two (2), acts of the Thirty-fourth General Assembly, authorizing the executive council to pay court costs taxed to or other expenses incurred by the state in any suit or proceeding instituted by or against any of the state departments.
Received 2462
Referred 2477
Returned 2538

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Passed 2538
Enrolled 2554
Signed 2555

700—For the levy of a special tax upon the taxable property of the state for the purpose of creating a fund for the further equipment and support of extension work, experimentation, collegiate and non-collegiate courses of study at the Iowa State College of Agriculture and Mechanic Arts.
Received 2513
Considered 2525
Passed 2525-2526
Enrolled 2554
Signed 2555

HOUSE JOINT RESOLUTIONS

RECEPTION AND PASSAGE

No. Page

1—Proposing to amend the constitution so as to provide for the taxing of incomes, privileges and occupations, and providing that such taxes may be graduated and progressive and providing for reasonable exemptions.
Received 551
Referred 552
Reported 1721
Special order 2088
Lost on passage 2106-2107

2—Proposing an amendment to the constitution of the state of Iowa, authorizing and empowering the general assembly to provide for the rendition of verdicts in proceedings other than criminal proceedings, by a less number than the entire jury.
Received 1072
Referred 1080
Returned and referred 2029

3—Proposing an amendment to the constitution of the state of Iowa, repealing section seven (7) of article two (2) of said constitution and proposing a substitute therefor, relating to and providing for the time of holding general elections.
Received 1421
Referred 1423
Reported 1540
Passed 1586
Enrolled 1727
Signed 1776

No. Page

4—Proposing an amendment to the constitution of the state of Iowa, authorizing the general assembly to provide for the exclusive taxation of classes of property for state revenue purposes.
Received 404
Referred 411
Reported unfavorably 1539
Indefinitely postponed 1539
Motion to reconsider 1572
Reconsidered 1986
Passed 1987-1988
Enrolled 2151
Signed 2198

5—To amend the constitution relating to legislative authority; providing for the initiative and referendum with reference to the enactment of laws, or laws enacted by the general assembly and amendments to the constitution.
Received 1177
Referred 1206
Reported 1874
Special order 2088
Passed 2178
Enrolled 2382
Signed 2410

6—Proposing an amendment to the constitution of the state of Iowa by repealing section one (1) of article two (2) of said constitution and the enactment and adoption of a substitute therefor, relating to the right of suffrage.

No. Page

Received 512-513
Motion to reconsider 513
Made special order 580
Made special order 644
Motion lost 708-709
Passed 710
Enrolled 824
Signed 889

7—Ratifying the amendment to the constitution of the United States, proposed by the congress of the United States relating to the selection of senators in the congress of the United States.
Received 242
Considered 243-244
Passed 246
Enrolled 279
Signed 296

9—Authorizing the joint committee on Retrenchment and Reform to employ expert accountants and efficiency engineers to institute reform, and appropriating funds therefor.
Received 266
Considered 276
Passed 276
Enrolled 295-296
Signed 296

10—Amending senate joint resolution No. 1 of the Thirty-fifth (35th) General Assembly relating to the compensation of additional employes of the Thirty-fifth General Assembly.
Received 301
Referred 314
Reported with amendments... 533
Referred 626
Report substitute 1461
Substitute adopted 1731
Amended 1731
Passed 1732
House refuses to concur in senate amendments 1896

No. Page

Motion to reconsider 2165
Reconsidered 2166
Amended 2166
Passed 2167
House concurs 2289
Enrolled 2345
Signed 2362

14—Proposing an amendment to the constitution of the state of Iowa, by amending section one (1) of article ten (X) of said constitution, relating to the manner of the amendment of the constitution.
Received 1881
Referred 1887

15—Authorizing and directing the committee on roads and highways and the joint committee on highways, to make an investigation into the methods and practices of bridge contractors and others furnishing bridge and road material in the state of Iowa.
Received and referred....925-926
Returned and referred 1912

16—Approving estimate of cost, plans and specifications for buildings and improvement at the Soldiers Orphans' Home, School for the Deaf, Institute for the Feeble-Minded Children, State Sanatorium for the Treatment of Tuberculosis, Industrial School for boys, Mt. Pleasant State Hospital for the Insane, Independence State Hospital for the Insane, Cherokee State Hospital for Insane, State Hospital for Inebriates, State Penitentiary and Reformatory.
Received 2490
Passed 2540-2541
Enrolled 2553
Signed 2555

HOUSE CONCURRENT RESOLUTIONS

RECEPTION AND ACTION

Relative to holding of joint convention to receive governor's message. Received, 9; senate concurrent resolution substituted, 13; house concurs, 15.

Relative to furnishing members of the press with codes, supplement and session laws. Received, 74; amended and adopted, 74; house refuses to concur, 196; considered, 203; senate insists on its amendments, 236; conference committee appointed, 236; house appoints conference committee, 259; conference committee reports substitute; adopted, 412-439.

Relative to furnishing various officers of the Thirty-fifth General Assembly codes, supplements, etc. Received, 196; considered, 203; senate concurs, 396.

Relative to memorializing congress in regard to the Kenyon-Shepard bill relating to transportation of liquor. Received, 212-213; made special order, 224; considered, 248; senate concurs, 250.

Relative to holding a joint executive session for the purpose of considering the future policy of higher

education in Iowa. Received, 299; amended and concurred in, 312; house concurs in senate amendment, 358.

Relative to adjournment from February 26 to March 4. Received, 392; senate concurs, 469.

Relative to a joint convention to listen to an address by Edwin G. Cooley on vocational training. Received, 392; senate names committee, 484; house names committee, 512.

Relative to an invitation to Captain Amundsen. Received, 404; senate substitutes for senate concurrent resolution and concurs, 405.

Relative to extending an invitation to Secretary of Agriculture James Wilson to address the Thirty-fifth General Assembly. Received, 413; senate concurs, 416; house appoints committee, 434.

Relative to joint convention to hear the addresses of Edwin G. Cooley and others on vocational training on March 6, at 1 p. m. Received, 537; senate concurs, 538.

Relative to joint convention to hear an address by Hon. James Wilson March 14, 1913. Received, 589; adopted, 590.

Relative to attendance of the legislature on "Governors' and Legislative Night," March 29, 1913, at Des Moines Household Show. Received, 719; senate concurs, 753.

Requesting secretary of state to deliver to Representative Greene of Clinton one copy each of supplement to the code, 1907, session laws of the 33rd General Assembly, and annotations to the same to replace ones which were lost. Received, 848; senate concurs, 848.

Instructing secretary of state to deliver house bills to committees. Received, 782; referred, 802.

Relative to holding a joint convention and extending an invitation to John J. Mitchell to address the same. Received, 871; senate concurs, 873.

Relative to granting privilege of members to purchase chairs occupied by them during the session. Received, 1379; adopted, 2063.

Relative to directing the secretary of state to compile and codify the road laws of the state and publish them in pamphlet form for general distribution. Received, 1518; considered, 1552; senate concurs, 1595.

Relative to appointment of committee to purchase a chair and gavel for the president of the senate and speaker of the house. Received, 1884; adopted, 1929; committee named, 1929; house names committee, 1998; report of committee, 2513.

Relative to directing the adjutant general to send copies of volumes 3 and 4 of roster of Iowa soldiers to John Koolbeck of Harlan, Iowa. Received, 2290; senate concurs, 2295.

Relative to shipping of books and supplies to the homes of members of the Thirty-fifth General Assembly. Received, 2440; senate concurs, 2441.

Relative to the enrolling clerk of the house remaining two days at close of session to complete her work. Received, 2510; senate concurs, 2510.

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